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

<b>Decision Order Number:</b> 1058	<b>Date of Decision:</b> 18-Aug-2022
<b>Register Reference:</b> SD22A/0285	<b>Registration Date:</b> 24-Jun-2022

**Applicant:** Brian Mulvaney

**Development:** The extension and renovation of The Cuckoo's Nest public house but retaining the original front part of the building & re-establishing a public house/gastro pub use at ground & first floor level (c.464m<sup>2</sup>). The proposed development also consists of the construction of a 3 and 4 storey building to the side and rear of the existing building, which will accommodate public house use at ground floor, retail / shop local use (c. 283m<sup>2</sup>) also at ground floor, with 11 no. apartments overhead. The proposed residential accommodation is comprised of 5 no. 1 bed apartments and 6 no. 2 bed apartments. The proposed development will be a modification to a previously permitted development under Ref.s SD19A/0287 & ABP-30603019, with access to the development via an existing / permitted vehicular entrance off the Greenhills Road. The proposed development Includes for all associated site development works, surface car parking, 6icycle parking, communal open space & landscaping, pedestrian access to the adjoining Temple Woods development, bin storage and the retention of an existing cellar (84.1m<sup>2</sup>) underneath the public house which will be used as storage associated with the proposed public house use, all on a site area of 0.24ha.

**Location:** The Cuckoo's Nest Public House, Greenhills Road, Tallaght, Dublin 24.

**Application Type:** Permission

Dear Sir /Madam,

With reference to your planning application, received on 24-Jun-2022 in connection with the above, I wish to inform you that before the application can be considered under Section 33 of the Planning & Development Act 2000, six copies of the following **ADDITIONAL INFORMATION** must be submitted.

1. Plan Approach: Eight Key Design Principles.

The applicant is requested to provide a Statement from a suitable qualified person detailing how ‘the Plan Approach’ eight key design principles have been incorporated into the design of the development, as per QDP2 Objective 1 of the South Dublin County Development Plan 2022 - 2028. This can be resolved by way of additional information.

2. Local Street.

One aspect of the design which is a concern is the treatment of the street to the north of the development – both the public house and theatre are oriented west towards the main road, with relatively uninteractive facades to the local street between them. The NTA and the SDCC Roads Department have queried how the development can support the provision of cycle infrastructure on Old Greenhills Road.

The street is labelled as a pedestrian priority shared surface, but no cross sections have been provided of the street, and the material treatments appear to show a clear delineation between a 2m pedestrian path and a 5.5m carriageway. A rationale for a 5.5m carriageway has not been provided, when compared against the DMURS standard of 4.8m - there is potential to extend the pedestrian path by 700mm.

The following aspects could be reconsidered by the applicant, and the applicant should show by way of additional information, how they have considered the following points:

- (a) the overall treatment of the street, in terms of architectural elevational treatment and surface layout and materials
- (b) How to establish the space as a pedestrian priority space.
- (c) If the terrace to the front cannot be delivered due to provision of planned cycling infrastructure, outdoor seating and a side entrance can be considered around the side, on the local street.
- (d) Compliance with DMURS.

3. Privacy.

Further consideration of this interaction is required, as are more detailed drawings showing, in plan and cross section, the relationship between the proposed apartment building and the permitted Temple Court Apartments, to establish that the occupants of the new development will not suffer a lack of privacy given the location of kitchen windows in the existing building.

4. Unit Mix.

Under SPPR1 of the 'Sustainable Urban Housing: Design Standards for New Apartments' (2020) guidelines, the South Dublin County Development Plan 2022 – 2028 specifies a required mix as per the county’s interim Housing Needs Demand Assessment. Under policy H1 Objective 12 of the Plan, all new developments should provide at least 30% 3-bedroom units, except where it can be shown that this is not necessary by way of the following criteria:

- there are unique site constraints that would prevent such provision; or
- that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or
- the scheme is a social and / or affordable housing scheme.

The applicant has not provided a rationale for the provision of 1- and 2-bedroom units only in this 11-unit scheme. The applicant should provide a rationale by way of additional information.

5. Single Aspect.

There is 1 single aspect unit proposed. This unit could be provided with east-facing window to make it dual aspect – there may be a design rationale for this, which the applicant might wish to comment

on in their additional information submission.

6. Public Realm - Landscape Plan and Details.

1. The applicant is requested to submit comprehensive and detailed landscape proposals for the development, prepared by a qualified Landscape Architect. Such proposals should include a scaled landscape plan(s) with cross - sections, showing the layout and hard and soft treatment of all boundaries, features, external areas and green spaces. The proposals shall be accompanied by specifications for materials, workmanship and maintenance, together with proposed design details. Hard landscape details are to include, where applicable, those for any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features. Soft landscape details are to include detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation and spacings. The landscape plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and defects liability clause. In addition, the applicant shall provide the following:

- a) details in relation to the interface of site services and trees to be retained;
- b) details in relation to public furniture/benches;
- c) proposed locations of trees at appropriate intervals and other landscape planting in the development, including details of the size, species and location of all vegetation, including biodiversity enhancement measures;
- d) A full set of plans and details of Hard Landscape Design for boundary treatments, seating, kerbs, edges, surfaces, lighting, and showing how the proposal will be coordinated with services & civil engineering elements;
- e) details of Soft Landscape Design to include a detailed Planting Plan and Planting Schedule - as appropriate - stating species/varieties, indicative quantities, sizes, rootball presentation and spacings. Planting mixes should specify a diverse range of species/varieties/cultivars and a diversity of forms and plant sizes (multi-stems, feathered, semi-matures, etc.); using both native and exotic species and pollinator-friendly native species (in accordance with the All-Ireland Pollinator Plan 2015-2020), all designed to provide vegetation that is visually appealing, bio-diverse, and easily managed.
- f) details of a Landscape Management and Maintenance Plan of both communal residential and publicly accessible areas to be implemented during operation of the development. All planting shall be adequately protected from damage until established and maintained thereafter. The Planning Authority will require in the event of a grant of permission that any plants which die, are removed or become seriously damaged or diseased in the first 5 years of planting, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

7. Public Realm - Open Space Provision.

It is not clear from the information submitted if the proposal would meet the relevant open space requirements for this development. The applicant is requested to submit in table form the percentage (%) and area in sq.m of the proposed private, semi-private and public open space (where applicable) provision within the site. The applicant should demonstrate compliance with the South Dublin County Development Plan 2022 - 2028 in relation to all of these forms of open space.

8. Sustainable Drainage Systems.

(A) The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.

(B) In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be

attenuated to greenfield run off rates, and showing what SuDS (Sustainable Drainage Systems) are proposed.

(C) SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

(D) Additional natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.

- SuDS bioretention Tree pits to be installed in trees within /draining areas of hard standing. Tree Pits to incorporate SuDS bioretention features and sufficient growing medium. SuDS details need to show how the water drains from the road/pavement hard surface into the SUDS tree pit, clearly outlining how SuDS features within the tree pits will function. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

(E) The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m<sup>3</sup>. Show in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m<sup>2</sup> are proposed such as, green roofs, permeable paving, buildings, roads and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.

(F) Examine what capacity in m<sup>3</sup> the proposed SuDS system can attenuate and check if proposed attenuation infiltration tank can be reduced in size by way of having SuDS provide respective surface water attenuation.

## 9. Sustainable Movement.

(A) The applicant has not indicated how right-turning movements into and out of the site will be accommodated safely. The applicant is requested to submit a revised layout of not less than 1:200 scale showing the location of a Yellow box arrangement in relation to the proposed development.

(B) (i) In terms of access for larger vehicles, the applicant should show how they are compliant with the relevant regulations, to the extent that they would receive a fire safety certificate for the proposed layout. Plans should show, using swept path analysis, how fire tenders can access the site if required. This is an item for additional information. The applicant should have cognisance of DMURS section 4.3.3 and the occasional access requirements for larger vehicles.

(ii) The applicant should also show by way of additional information how it is expected that refuse will be collected from the site and if bin lorry access is required on the site, provide swept path analysis showing that this is possible. The applicant should have cognisance of DMURS section 4.3.3 and the occasional access requirements for larger vehicles.

(C) The applicant is requested to submit accurate plans demonstrating the provision of a visibility splay of 2.4m x 49m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right hand side of entrance and to the centreline of the road to the left hand side of the entrance (when exiting).

(D) The applicant should submit revised plans which show how the proposed development facilitates the BusConnects project. The National Transport Authority states that it is available to consult on this

matter (see their submission).

(E) The applicant should submit a revised layout of not less than 1:200 scale, showing carriageway and footpath widths throughout the development. The applicant should demonstrate compliance with DMURS section 4.4.1 with regard to a shared surface street.

(F) The applicant is requested to submit a breakdown of the car parking designation for the apartments, the pub and the shop. The applicant should consider and state whether any of the proposed uses are complementary and can share parking.

#### 10. Irish Water.

(A) The applicant should engage directly with Irish Water and submit a Confirmation of Feasibility from Irish Water, as additional information, with respect to water supply and wastewater connections.

(B) The applicant should demonstrate the relationship between the proposed development and the 225mm public foul sewers in close proximity to the site, and show using plans and cross sectional drawings, as necessary, that the proposed development would not lead to inappropriate loading on the public pipes.

#### 11. Noise.

The applicant is requested to provide:

(A) An assessment for the potential for noise nuisance from the operational use of the public house and retail unit.

(B) Proposals to negate noise nuisance from the operational use of the public house and retail unit must be submitted to ensure compliance with BS 8233 Guidelines for Sound Insulation and Noise Reduction for Buildings.

Additionally, the applicant should:

(C) demonstrate that the proposed development would support Policy IE8 of the South Dublin County Development Plan 2022 - 2028.

#### 12. Public Realm - Public Open Space.

The applicant should provide as additional information, alternative proposals which provide for public open space as per the permitted development, or else guarantee improved local access to public open space (in accordance with permission SD16A/0157), and the provision of appropriate facilities through contributions in-lieu. In either case, the applicant is to demonstrate compliance with the following policies, objectives and guidance in the South Dublin County Development Plan 2022 - 2028:

- Policy H8
  - in particular, Policy H8 Objective 3
- Section 8.4.1 in particular as it relates to public open space
- Section 8.7.1 in particular as it relates to accessibility
- Policy COS5
- Table 8.2

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

notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended).

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

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

Signed on behalf of South Dublin County Council

**Register Reference:** SD22A/0285

**Date:** 19-Aug-2022

Yours faithfully,

*Pamela Hughes*  
for **Senior Planner**