

**KPMG Future Analytics**  
1, Stokes Place  
St. Stephens Green  
Dublin 2

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

<b>Decision Order Number:</b> 1319	<b>Date of Decision:</b> 17-Oct-2022
<b>Register Reference:</b> SD22A/0342	<b>Registration Date:</b> 23-Aug-2022

**Applicant:** Riverside Projects Limited

**Development:** Construction of a four-storey apartment block ( 4224 sq.m) consisting of 58 age friendly residential units comprising 20 one bedroom units and 38 two bedroom units with associated private balconies, associated lift and stair cores, entrance lobby, and circulation space; Provision of a community facility (99.3 sq.m) and ancillary accommodation including refuse store (26.9 sq.m), cycle store (36 sq.m), plant room (46.2 sq.m), sub-station (14 sq.m), switch room (16 sq.m), landscaped public open space (907.4 sq.m) and communal open space (1225.6 sq.m), and 30 car parking spaces and 80no. cycle parking spaces to serve the development; Vehicular access to the development will be provided via an upgraded entrance from Tay Lane with a minor pedestrian access provided from Eaton Drive to facilitate direct linkages to the town centre; Planning permission is also sought for all ancillary site and development works above and below ground to facilitate the development including the provision of internal access roads and pedestrian / cycle pathways and linkages, boundary treatment, public lighting, hard and soft landscaping, services, rooftop PV panels and associated signage.

**Location:** Lands located to the east of Tay Lane, Newcastle Road, Rathcoole, Dublin 24

**Application Type:** Permission

Dear Sir /Madam,

With reference to your planning application, received on 23-Aug-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. Occupancy Restriction and Unit Mix.

(a) The proposal as presented provides no restriction on the class of occupant that can use the

development. As noted elsewhere in the Planner's Report, the proposed unit mix ( 65% 2-bed, m 3-person units and no 3-bed units) would be contrary to national guidance and the County Development Plan, and would only be acceptable to the Planning Authority if occupancy were restricted, to ensure its use for the stated purpose of development. Sections 39 (2) and 47 of the Planning and Development Act 2000 as amended, provide for agreements for the restriction of use of developments to a certain class of occupant. The development should be restricted to older persons as primary occupants. The applicant is invited to propose the wording of a condition of permission that might effect such a restriction, in order to support the provision of housing for older people.

(b) The applicant may otherwise provide a rationale for the proposed unit mix in the context of council policy to achieve more than 30% of 3-bed units and national guidance to provide no more than 10% 2-bed / 3-person units.

## 2. Unit Floor Plans.

The applicant's Design Statement does contain 'typical apartment layout' drawings for a 1-bed unit and a 2-bed / 3-person unit. These do not appear to adhere to the proposed units, nor do they do not show how the units are universally accessible, or how layouts could be revised as part of 'ageing in place' adaptations. The applicant should provide detailed unit layout plans by way of additional information, and these should highlight and show that the units are appropriately accessible and show how 'ageing in place' measures such as adaptations of bathrooms can be realised.

## 3. Overdevelopment.

The applicant is requested to reduce the overall provision of units in the development in order to achieve a car parking ratio of 0.65 spaces per unit, without increasing car parking levels above that proposed.

## 4. Noise.

(a) The Noise Impact Statement provided by the applicant measures and provides mitigation solutions for internal noise levels within the development. The statement does not provide solutions for use of balconies or the communal open space. The proposed development lacks mitigation measures such as noise barriers, set back landscaping and / or buffer zones from the national road. Balconies, particularly at higher levels, would be significantly affected by the noise. The northern façade of the proposed development would be closer to the N7 road than any comparable development of 4 storeys in Rathcoole. The design could be improved with greater buffering, with use of berms topped by hedgerows and trees; or by orienting the building such that it creates a noise barrier, with balconies and open space located to the south, and an insensitive use such as car parking located to the north., such as in the Eaton Square development to the east; or with the use of 'winter garden' balconies. The site is constrained due to its size and irregular shape. Expansion into the site to the north and west, or otherwise provision of a smaller development, would facilitate some of the above options for mitigating noise.

The applicant should respond to the above by way of additional information, and in particular show how the scheme would comply with Policy IE8 Objectives 4 and 7.

(b) The applicant should supplement their Noise Impact Assessment and resulting recommendations to take account of noise arising from aviation.

## 5. Roads.

The applicant is requested to submit:

(a) a Traffic and Transport assessment of the nearby junctions, to confirm that the development will have no impact on the traffic flows on the Rathcoole main street.

(b) a stage 1 road safety audit, with particular focus on the pedestrian access to the west and east of the development.

(c) a revised layout of not less than 1:200 scale, showing a dedicated 2.0m wide footpath on the east side of Tay Lane from the Rathcoole main street to the access of the proposed development.

6. Aspect.

The proposed development is considered by the Planning Authority to contain 22 no. double aspect units (Unit Nos. 3, 4, 10, 11, 14, 17, 18, 24, 25, 28, 31, 32, 35, 39, 40, 43, 54, 55, and 58), amounting to 38% of the proposed units. The applicant is requested to consider improving the design and layout in this respect to provide a higher proportion of double aspect units.

7. Universal and Accessible Design.

The applicant has not shown in their Design Statement or Planning Report, that the development would accord with the 'Building for Everyone' design guidelines produced by the National Disability Authority and referenced in the County Development Plan. It is considered appropriate that the applicant provide a statement of compliance with these guidelines as additional information.

8. Daylight and Sunlight.

(a) The report provided shows that a large proportion of the floor space within the proposed units would not obtain 2 hours of sunlight on 21st March. While it is not clear why 2 hours of sunlight has been assessed against rooms – this is a standard generally applied to open spaces – the plans do illustrate a weakness of the design, with many rooms having poor sunlight access for most of their floor space. The appropriate measures to assess the design by in this regard are 'No Sky Line' and 'Target Illuminance'. The applicant should provide a supplementary daylight and sunlight analysis assessing the habitable rooms of the development against these standards (contained in BS 209 and BS EN 17037:2021), as additional information.

(b) The supplementary analysis report should also take account of the permitted structures under SD17A/0036, in particular the building due east of the southern wing of the proposed development.

9. Watercourse.

It is noted that a stream running up the west of the site has been culverted and diverted through an underground pipe. This stream is to be uncovered as part of permitted development SD17A/0036. It is council policy to uncover culverts as per Policy GI3 Objective 4 of the County Development Plan, and section 12.4.3. The applicant is requested to revise their landscape and drainage plans in order to uncover this watercourse and integrate it into the landscape proposals.

10. Public Open Space.

The proposed public open space consists of the pedestrian path and surrounding verges / spaces between the western and eastern pedestrian accesses, and around the southern wing of the proposed building. This is linear incidental space and does not fit the qualitative requirements of public open space under the County Development Plan. The applicant is requested to provide additional information specifying how 10% of the site area will be provided as Public Open Space to the qualitative standards set out in the CDP and on top of the requirements for Communal Open Space.

11. Pedestrian Facilities.

(a) The pedestrian access to the site from Tay Lane is located north of the car park. It is considered likely that pedestrians would simply walk through the car park. The car park should be reconfigured to make some provision along the south of the site for pedestrians, whether it is demarcated and raised footpath through the car park, or a footpath south of the parked cars.

(b) The proposed east-west permeability through the site with a pedestrian access onto Eaton Green is

encouraged and would contribute generally to a permeable village centre with good pedestrian links. The proposed pedestrian access to the east would open onto an area which may be in private ownership, and has not been taken in charge (though the street itself has been). The applicant should be encouraged to liaise with the Management Company or owner of the Eaton Development and report on progress towards consent for the opening at this location.

#### 12. Surface Water.

The applicant is requested to submit:

- (a) a drawing and report showing a flow route analysis of existing site. The development of the surface water flow routes throughout the site should correlate as closely as possible to the natural flow of surface water on site.
- (b) a drawing showing all SuDS systems in plan and cross sectional view. Show the treatment train and conveyance of surface water above ground over the site. Show the capacity in m<sup>3</sup> of proposed SuDS systems. In exceptional circumstances underground attenuation systems are permitted but only if there is insufficient attenuation provided by SuDS (Sustainable Drainage Systems)
- (c) 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) a drawing and report which give greater detail regarding the attenuation capacity provided on site. Details required will include the proposed attenuation capacity provided by drainage features given in units of m<sup>3</sup>.

#### 13. Public Lighting and Undergrounding of Services.

The SDCC Public Lighting Department has recommended that additional public lighting is required in Tay Lane to ensure safety for pedestrians. The report states:

The existing public lighting provision on St. Brigids-Tay Lane is insufficient and has been subject to many resident complaints in recent years, particularly by the Women's Refuge where there are often security concerns.. The narrow footpaths and presence of ESB columns hosting distribution lines have limited the scope for improvement to the Public Lighting. The existing Public Lighting on St.Brigid's-Tay Lane would be insufficient to provide adequate light to the increased pedestrian and vehicular traffic under the proposed development. Undergrounding of 2 spans of the ESBN overhead distribution lines and the provision of a fully underground Public Lighting installation should be considered under this proposed development.'

The applicant should respond to the above by way of additional information.

#### 14. Taking in Charge.

The applicant should clarify as to whether it is proposed to have any of the site taken in charge.

#### 15. Public Realm - Landscape Plan.

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:

- i. The applicant is requested to submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.
- ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape

proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.

iii. The landscape Plan should include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.

iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site

v. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development

vi. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.

#### 16. Public Realm - Arboricultural Impact.

(i) The applicant is requested to submit a comprehensive Tree Report to the SDCC Public Realm Section. This shall comprise of detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist.

(ii) Survey of Existing Trees and Hedgerows - No equipment, machinery or materials are brought to the site for the purposes of the development, until a written statement detailing the retention and protection of trees on the site has been submitted to and approved in writing by the local planning authority. The submitted statement shall include a survey and assessment of all trees on the site and shall identify on a scaled drawing those trees to be retained and where arboricultural work is proposed. It shall also detail the measures and means of protecting the trees on the site in accordance with British Standards 5837:2005 (Trees in Relation to Construction). The development shall be carried out fully in accordance with the agreed details unless otherwise first agreed in writing with the local planning authority. If within five years from the completion of the development a tree which is agreed to be retained is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size, and shall be planted at such time, as specified in writing by the Public Realm Section.

(iii) Retention of Identified Trees / Hedges - The trees and hedges identified for retention shall be protected during the course of the development. The trees shall be protected by the erection of temporary fencing in accordance with British Standard 5837:2005 (Trees in Relation to Construction), and the hedges shall be protected by a chestnut paling fence or similar fence to a height of not less than 1.8m and no closer than 1.5m from the hedge unless otherwise agreed in writing. The protective fencing shall be erected before the commencement of any clearing, demolition and building operations and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone(s) no materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area unless otherwise first agreed in writing by the Public Realm Section.

(iv) Tree Protection: Drainage and Service Runs - No drainage or service runs (including cables, pipes or similar services) shall be laid beneath the canopy of any tree identified for retention nor within any fenced protection zone unless otherwise agreed in writing by the local planning authority.

**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/0342

**Date:** 20-Oct-2022

Yours faithfully,

*Pamela Hughes*  
for **Senior Planner**