

Comhairle Chontae Atha Cliath Theas

PR/1287/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0346 **Application Date:** 31-Aug-2022
Submission Type: New Application **Registration Date:** 31-Aug-2022

Correspondence Name and Address: John O' Neill, John O' Neill & Associates Architect & Interior Designers Ltd. 1, Irishtown Road, Dublin 4

Proposed Development: Mixed development consisting of 1 public house and 26 apartments. The overall development will comprise the following; demolition of the existing single storey public house (area 910sqm), construction of a 4 storey apartment block within the footprint of the site (1267sqm) comprising of 26 apartments (4 one bedroom units, 22 two bedroom units) and smaller public house at ground level (area 156sqm and total area 2717sqm), all apartments have balconies/terraces. Car park for 12 cars (including 1 disabled space), bin stores and bicycle stands at ground level. Communal areas include 1st floor courtyard above carpark and 3rd floor roof terraces for apartments. Streetscape proposals within site boundaries to facilitate and enhance the public realm.

Location: The Finches Public House, Finches Shopping Centre, Neilstown Road, Clondalkin, Dublin 22, D22 H7X9

Applicant Name: Old Nangor Road Ltd.

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.1267 Hectares on the application.

Site Description

The subject site is located on the corner of the roundabout at Neilstown Road and Collinstown Road. The site consists of a single storey public house and off-licence. Adjoining the site to the south and to the east are three storey buildings with retail units at the ground floor and apartments on the upper floors. There is an area of surface car parking to the south-east of the site, accessed via a laneway along the eastern boundary of the subject site.

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Proposal

Permission is being sought for the construction of a mixed development consisting of 1 no. public house and 26 no. apartments. The overall development will comprise the following:

- Demolition of the existing single storey public house (area 910sqm),
- Construction of a 4 storey apartment block within the footprint of the site (1267sqm) comprising of 26 apartments (4 one bedroom units, 22 two bedroom units) and smaller public house at ground level (area 156sqm and total area 2717sqm), all apartments have balconies/terraces.
- Car park for 12 cars (including 1 disabled space), bin stores and bicycle stands at ground level.
- Communal areas include 1st floor courtyard above carpark and 3rd floor roof terraces for apartments.
- Streetscape proposals within site boundaries to facilitate and enhance the public realm.

Zoning

The subject site is subject to zoning objective 'LC': *'To protect, improve and provide for the future development of Local Centres'*.

Consultations

Water Services	Additional information requested.
Irish Water	No objections subject to conditions.
Roads Department	Additional information requested.
Public Lighting	No comment
Public Realm Department	Additional information requested.
County Architect	No report received.
Housing Strategy Unit	No objections subject to conditions.
H.S.E. Environmental Health Officer	No report received at the time of writing this report.

SEA Sensitivity Screening – site overlaps with aviation layers Approach Surfaces and Conical Surface for Casement, Outer Horizontal Surface for Dublin and Bird Hazards.

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Submissions/Observations /Representations

The third party submissions received on the application raised the following in summary:

- Overuse of existing parking facilities and confusion over access to a right of way. Existing parking concerns and development will cause more issues.
- Small local centre and as such access from a health and safety point of view needs to be addressed, site is unsuitable. Interference during construction.
- The development will block access to a private car parking while building the access through the lane over land that the applicant is not entitled to access. Using private land to build an access
- Development would block all the light into two of the apartments in 9 and 11 Chaplain's Court.
- Privacy concerns regarding the balconies facing windows on Chaplain's Terrace and Chaplin's Row.
- Anti-social behaviour due to public house.
- Unsuitable for a neighbourhood shopping centre which currently has serious access, delivery and parking issues.

These submissions have been reviewed in full and taken into consideration in the assessment of the application.

Relevant Planning History

Subject site

SD21A/0216

Mixed development consisting of 1 public house and 29 apartments comprising of: the demolition of the existing single storey public house (area 910sq.m); construction of a 4 storey apartment block within the footprint of the site (site area 1267sq.m), comprising a total of 29 apartments (9 one bedroom units, 20 two bedroom units) and smaller Public House at ground level (area 178sq.m), (total area 2562sqm); all apartments have balconies/terraces to all elevations; carpark for 14 cars (including 1 disabled space), bin store and bicycle stands at ground level; communal areas include 1st floor courtyard above carpark and 3rd floor roof terraces for apartment; streetscape proposals within site boundaries to facilitate and enhance the public realm. **Application withdrawn.**

Clarification of additional information response not submitted within 6 month period.

SD03A/0075

Alterations to the existing elevations new signage, a new entrance porch, new railings and landscaping on the north and west sides. **Permission granted.**

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S01A/0884

Construction of new shop front and entrance and associative alterations to existing elevations.

Permission refused. It was considered that the design of the shop front and clock tower would be incompatible with the previously approved permission and would materially inhibit the redevelopment of the site as approved. The development would be visually obtrusive, area behind the shop front could not be accessed, railings would result in littering and maintenance issues as well as being visually defensive in an excessive manner.

S00A/0051

Additional first floor for use as a bar, restaurant and creche and associated extensions and alterations to the existing ground floor elevations. Also, internal alterations to the existing ground floor including enlarging the off-licence, relocating the existing toilets and provision of catering facilities. **Permission granted. The additional floor was not constructed.**

Adjacent and surrounding sites

S01A/0122 Buildings to south (Chaplains' Court) and east (Chaplain's Place) of subject site
To construct 1 no. supermarket (944m²) with associated storage and office space (510m²), 8 no. shop units (801m²), 1 no. restaurant (174m²), 20 no. three bedroom residential units, decked carpark (59 spaces) and 18 surface carparking spaces, in 2 no. three storey buildings. **Permission granted by An Bord Pleanála.**

S01A/0125 & ABP Ref. PL 06S.125927 Building to the north (Chaplain's Terrace)

To construction 20 no. residential units in a two/three storey building. **Permission granted by An Bord Pleanála.**

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

Ref. PP103/20

Demolition of existing public house and the redevelopment of the site on the same footprint. The redevelopment will consist of a smaller public house and approx. 29 apartments- 5 apartments on the ground floor and 8 apartments on each of the upper floors. The number of upper floors to be discussed. Car parking and open space requirements were to be discussed.

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

Policy NCBH1: Overarching

Policy NCBH2: Biodiversity

Policy NCBH5: Protection of Habitats and Species Outside of Designated Areas

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 GI2: Biodiversity

GI2 Objective 4:

To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Policy GI3: Sustainable Water Management

Policy GI4: Sustainable Drainage Systems

GI4 Objective 1:

To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Policy GI5: Climate Resilience

Policy QDP1: Successful and Sustainable Neighbourhoods

QDP1 Objective 3:

To protect the quality, ambiance, vibrancy and vitality of urban centres by promoting an appropriate mix of complementary and compatible day and night-time uses, including commercial, recreational, civic, cultural, leisure and residential uses.

QDP1 Objective 4:

To reinforce the network of urban centres as the appropriate locations for new mixed-use development, ensuring that the existing context including identified built and natural assets, urban design, integration and potential for connectivity fully informs development.

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QDP1 Objective 5:

To promote the re-development of underutilised Local Centres within the County as new mixed use neighbourhood hubs continuing to provide for local retail and services in a manner which respects and consolidates the existing urban character of these areas ensuring adherence to the eight key design principles in 'The Plan Approach' including quality of design, integration, accessibility and connections to the surrounding areas.

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP6: Public Realm

QDP6 Objective 3:

To promote and implement environmental and public realm improvements in existing town, village, district and local centres to a high standard and finish to ensure that the design addresses environmental quality, urban design, safety including the potential for anti-social behaviour, identity, and image.

Policy QDP7: High Quality Design – Development General

Policy QDP7: High Quality Design – Street Frontage

Policy QDP7: High Quality Design – Street Width and Height

Policy QDP7: High Quality Design – Adaptability and Inclusivity

Policy QDP8: High Quality Design – Building Height and Density Guide (BHDG)

QDP8 Objective 2:

In accordance with NPO35, SPPR1 and SPPR3, to proactively consider increased building heights on lands zoned Regeneration (Regen), Major Retail Centre (MRC), District Centre (DC), Local Centre (LC), Town Centre (TC) and New Residential (Res-N) and on sites demonstrated as having the capacity to accommodate increased densities in line with the locational criteria of Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) and the Urban Design Manual – Best Practice Guidelines (2009), where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of South Dublin County's Building Height and Density Guide that it is contextually appropriate to do so.

Policy QDP9: High Quality Design - Building Height and Density

Policy QDP10: Mix of Dwelling Types

Policy QDP11: Materials, Colours and Textures

Policy EDE8: Retail – Overarching

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Policy EDE14: Retail - Local Centres

Maintain and enhance the retailing function of Local Centres.

EDE14 Objective 1:

To support the development and enhancement of local centres as sustainable, multifaceted, retail led mixed use centres, enhancing local access to daily retail needs, which do not adversely impact on or draw trade from higher order retail centres.

Policy H1: Housing Strategy and Interim Housing Need and Demand Assessment

H1 Objective 12:

Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

- 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.*

Note: Build-To-Rent (BTR) residential developments shall comply with the Sustainable Urban Housing: Design Standards for New Apartments (2020) (or any superseding Section 28 Ministerial Guidelines).

Policy H7: Residential Design and Layout

Policy H8: Public Open Space

Policy H9: Private and Semi-Private Open Space

Policy H10: Internal Residential Accommodation

Policy H11: Privacy and Security

Policy SM2: Walking and Cycling

Policy SM7: Car Parking and EV Charging

Policy COS5: Parks and Public Open Space – Overarching

Policy E3: Energy Performance in Existing and New Buildings

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE7: Waste Management

Policy IE8: Environmental Quality

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Policy IE9: Casement Aerodrome

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.5.4 Public Realm: (At the Site Level)

12.6.1 Mix of Dwelling Types

12.6.7 Residential Standards

12.6.10 Public Open Space

12.7.1 Bicycle Parking / Storage Standards

12.7.4 Car Parking Standards

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

12.11.5 Aviation, Airports and Aerodromes

Relevant Government Guidelines

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

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

Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional Spatial and Economic Strategy 2019 – 2031.

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2009).

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, (2009).

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

Sustainable Urban Housing: Design Standards for New Apartments, Department of Housing, Local Government and Heritage, (2020)

Urban Development and Building Heights Guidelines for Planning Authorities, Department of Housing, Planning and Local Government, (2018).

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

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Part V Provision;
- Visual and Residential Amenity;
- Open Space;
- Green Infrastructure and Landscape;
- Access and Parking;
- Infrastructure and Environmental Services;
- Environmental Health;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

Land Use Zoning

The proposed development is consistent in principle with zoning objective 'LC': *'To protect, improve and provide for the future development of Local Centres'*. A 'Public House' and 'Residential' development are Permitted in Principle under this zoning objective.

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Local Centre Policy

The subject site is located on a prominent corner in a zoned Local Centre (Level 4 in the Retail Hierarchy). Council policy relating to Local Centres include the following:

Policy EDE14: Retail - Local Centres

Maintain and enhance the retailing function of Local Centres.

EDE14 Objective 1:

To support the development and enhancement of local centres as sustainable, multifaceted, retail led mixed use centres, enhancing local access to daily retail needs, which do not adversely impact on or draw trade from higher order retail centres.

The proposed development would involve the redevelopment of the existing public house onsite to a mixed use development consisting of apartments and a public house. The applicant states that the large public house is no longer viable and is proposing to reduce it in size to approx. 156sq.m. The public house would be on the western elevation, appropriately located in proximity to ground floor retail to the south of the site.

While the lack of retail along the northern elevation is a concern, the proposed floor to ceiling height of the ground floor level would be approx. 3.1m. This would allow for the potential conversion of the ground floor for retail or commercial use in the future. There are existing retail units on the ground floor of the buildings located to the east and south of the subject site. It is also noted that aside from the public house, the site does not currently provide retail floorspace, so none would be displaced as a result of the proposal. The Planning Authority therefore finds the proposal acceptable in this regard.

The applicant states to promote active use at the ground floor of the northern elevation, 3 no. shared apartment entrances are provided along this elevation. This frontage is discussed further in this report below.

Part V Provision

The Housing Department have reviewed the proposed development and state the following:

I refer to the above application for planning permission; Planning Reg Ref SD22A/0346 and I wish to advise that a Part V condition should be attached to any grant of permission for this application.

It would appear that the proposed 4 no. ground floor units are being offered for Part V. The units identified were labelled as wheelchair "friendly". It is the opinion of the Architects Department that the units, in their current format/design, are not suitable as wheelchair liveable units.

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The applicant is required to contact the Housing Department directly to agree a Part V. Proof of the date of ownership of the site is required from the applicant in order to determine their Part V percentage liability.

South Dublin County Council can only agree Part V in respect of the permitted development subject to costing approval from the Department of Housing, Local Government & Heritage. Please note that the Council would require a fully completed Part V submission prior to commenting on costs.

This report is noted and should be conditioned as such.

Visual and Residential Amenity

Existing Residential Amenity

The closest buildings to the subject site are the three-storey building, Chaplain's Court, located immediately to the south and the three storey building, Chaplain's Place, located to the east. The proposed building would be setback approx. 8.0 to 8.5m from western elevation of Chaplain's Place. This elevation of the neighbouring building has windows at the first and second floors. Based on a planning history search of this site these windows appear to be to habitable rooms of apartments.

However, considering the site is an infill site, reduced separation distances between neighbouring buildings is often considered acceptable. Furthermore, it is noted that the neighbouring building was constructed directly adjacent to the existing laneway, which the current application would be replicating, thereby resulting in each building having a similar level of impact on its neighbour. It is also noted that the provision of windows on the eastern gable elevation serves to articulate a highly visible façade, whilst also facilitating the passive surveillance of the existing laneway. The proposed design response is therefore considered, on balance, to be acceptable. The windows to the bathrooms on the eastern elevation should be made opaque by way of condition.

The proposed building would adjoin Chaplain's Court to the south. The proposed courtyard at first floor level and one of the roof terraces at third floor level would adjoin this neighbouring building. Based on a planning history search of this neighbouring building the windows on the northern elevation (facing west within an indent) appear to be to habitable rooms to apartments. There would also be an 'open yard' to the south of the proposed development, accessible from the proposed public house, that is within the abovementioned indent. The yard would be used as a bin storage for the public house. The first floor plan shows a roof over this area. There would be no access to this roof from the courtyard. This is acceptable to the Planning Authority.

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A 1.5 m high glazed screen with planting would be provided along the perimeter of the eastern roof terrace. This would mitigate the potential for overlooking and is acceptable to the Planning Authority.

For clarity it is noted that the existing services/extractor fans located on the northern elevation of Chaplain's Court, located immediately to the south of the subject site, would remain where they are currently.

Residential Density

The proposed 26 no. residential units on an approx. 0.1267 ha site equates to a residential density of 205 residential units per ha. The site is located within a zoned Local Centre, proximate to local shops and facilities within this centre and high capacity bus services with stops along Neilstown Road. It is therefore considered that the site can accommodate a higher residential density, subject to an appropriate standard of accommodation and high quality design.

Building Heights

The proposed development would be 4 storeys in height. The building would step down to 3 storeys at the south and east to accommodate roof terraces. This is an increase in height from the current single storey public house onsite. Policy QDP8 Objective 2 states to proactively consider increased heights on lands zoned LC, where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of South Dublin County's Building Height and Density Guide that it is contextually appropriate to do so.

The existing building heights adjoining or in close proximity to the site are three storey buildings to the south and west. The buildings around and near the Neilstown and Collinstown roundabout are two and three storeys. Further from the site, in the surrounding area, are one and two storey buildings and two storey terraced housing. There is a row of two storey terraced housing on Neilstown Road opposite the subject site. However, the proposal would be setback approx. 27m from these houses. There are no Protected Structures adjoining or in close proximity to the subject site.

Given that the site is located on a prominent corner within the local centre, there is the opportunity for redevelopment here to play an important role in terms of placemaking and legibility. Increased heights and a distinctive built form would therefore be supported at this site. In principle, the Planning Authority considers that the subject site can accommodate the proposed building heights at this location.

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Unit Mix

The proposed development would provide for 4 no. 1 bed and 22 no. 2 bed apartments. Policy H1 Objective 12 of the CDP requires a minimum of 30% 3 bed units, a lesser provision may be acceptable where it can be demonstrated that:

- *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 proposed development does not include any 3 bed units. While there is existing apartment development proximate to the site, it is noted that the prevailing housing type in the overall surrounding area is larger houses with three or more bedrooms. The proposed mix is therefore considered to be in compliance with Council policy and the Apartment Guidelines in this instance.

Amenity of Future Occupiers

Table 3.21 of the County Development Plan and the 2020 Apartment Guidelines set out minimum space standards for apartments. It is noted that the applicant has not specified this is a Build-To-Rent proposal as defined by the Apartment Guidelines. The proposed development has therefore been assessed as a Build-To-Sell development in this report.

The proposed apartment would comply with or exceed the minimum required floorspace standards. The majority of the proposed apartments exceed the minimum floor area by at least 10%. The 2 bed apartments have sufficiently sized bedrooms to accommodate 4 persons apart from Apartments 12 and 20, where the second bedroom is 8.3sq.m and therefore meets the floorspace requirements for a single bedroom. The proposed floor to ceiling heights would be approx. 3.1m at ground floor level and approx. 2.7m for the remaining upper floors.

On the western and northern elevations, ground floor Apartments 1, 2 and 3 would have windows to habitable rooms in close proximity to the public footpath with limited setback and privacy strip width provided. This is would not provide an appropriate level of privacy to these apartments and lead to a substandard form of development. These should be revised to provide a greater setback of these windows from the public realm and adequate privacy strip. **This can be addressed via additional information.**

Of the 26 apartments, 5 no. would be single aspect and 21 no. would be dual aspect, equating to an 80% dual aspect ratio. Apartments 2 and 3 would be ground floor, north facing and single aspect units. The submitted Daylight, Sunlight and Overshadowing Study show that the living areas for

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these apartments would receive less than the recommended values for winter and annual APSH. However, the apartments' rooms would have an ADF greater than the recommended minimum values. The apartments would also exceed the minimum floorspace, floor to ceiling height and communal open space requirements. Given this, these apartments are considered to be acceptable in this instance.

Design and Visual Impact

The proposed development would be built to a similar building footprint to the existing development onsite. The existing building lines, including on the frontages to Neilstown and Collinstown Roads would be largely similar. The existing railings along these frontages would be removed, which is welcomed. Along these frontages it is proposed to have raised plant beds and seating to provide privacy along the ground floor private amenity spaces and enhance the public realm. Multiple shared entrances for the apartments are provided. This helps enhance the public realm by creating a strengthened streetscape and bring more active uses to the ground floor, particularly along the Collinstown Road frontage.

The proposed facades along Neilstown and Collinstown Roads would be projecting in parts and have a brick finish. The finish is considered to be of a high quality, particularly with the use of tall windows. Some further variation in material, colour and form would be welcomed, particularly on the northern elevation, given the site's prominent location. The circular form balconies on the corner of the building are not considered to be a visually acceptable design response and should be redesigned to a more appropriate form. The submission of CGI images or elevational drawings with colour would be welcomed in order to adequately assess the design of the proposed building. **This can be addressed via additional information.**

All elements of the proposed building would have a flat roof. This is typical of existing buildings at this location and is therefore considered to be visually acceptable.

Open Space

Communal Open Space

The proposed development would provide a courtyard of approx. 243sq.m at first floor, over the ground floor level car parking. There would be two roof gardens at third floor level approx. 50sq.m and 70sq.m in size. This total space would exceed the quantum requirements of the CDP and Apartment Guidelines. A landscaping plan has been submitted, which is assessed in terms of quality under the landscape section of this report.

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A Daylight, Sunlight and Overshadowing Study has been submitted. The communal open spaces were assessed in relation to the BRE Guide. This found that 65% of the combined areas are achieving more than 2 hours of sunlight on the 21st of March across 50% of the total area. Each space is above the 50% minimum recommendation.

The proposed communal open spaces are therefore considered to be in compliance with Council policy and the Apartment Guidelines.

Public Open Space

Under section 8.7.3 of the CDP the overall standard for public open space is 2.4 hectares per 1,000 population for developments with a residential element. No public open space is proposed onsite as part of this application and comments by the Public Realm Section requesting same are noted. As stated in the CDP *“The Council may, in certain circumstances and at its sole discretion, allow for an element of open space to be located off-site where it exceeds the minimum on-site requirements. Alternatively, the Council may in certain circumstances and at its sole discretion, determine a financial contribution in lieu of all, or part of, the public open space requirement for a particular development”*. At this point however, the Council is refraining from implementing a financial contribution in lieu of public open space, pending the adoption of a supporting Development Contribution Scheme. More generally, it is noted in this instance that the proposal is for the redevelopment of a relatively constrained, brownfield site within a local centre and the proposals include sufficient high-quality communal open space to meet the needs of the prospective residents and there are several areas of existing public open space in the vicinity of the site. Having regard to the foregoing, the proposals are considered acceptable in relation to public open space.

Green Infrastructure and Landscape

The subject site is located proximate to a Primary Green Infrastructure Corridor and a Secondary Green Infrastructure Link as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. Policy G12 of the CDP requires the strengthening of the Green Infrastructure (GI) network and to ensure all development contribute towards GI. G14 of the CDP requires the provision of Sustainable Drainage Systems (SuDS) in the County and maximise the amenity and biodiversity value of these systems.

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A Landscape Rationale and landscape drawings have been submitted. The Public Realm Department have reviewed the proposed development and state the following main concerns:

1. *Adequate provision of high quality accessible Public Open Space*

The applicant has not provided the minimum 10% useable public open space required for new residential development by the SDCC County Development Plan (2022-2028).

2. *Green Space Factor not provided. The applicant has not submitted any information in relation to the Green Space Factor. This is a requirement of the SDCC County Development Plan 2022-2028.*

3. *Does not comply with SDCC GI Strategy*

A GI Strategy has not been provided showing GI on site and the local context.

4. *Does not comply with SDCC SuDS Guidelines The proposed drainage system drainage system does not deliver multifunctional benefit as required by SuDS, i.e., amenity, biodiversity, water treatment and attenuation.*

5. *Play – There is no public open space play provision. SDCC CDP (2022-2028) requires children's play areas to be provided as an integral part of the design of new residential and mixed-use developments, to be addressed as part of a landscape plan.*

The Public Realm Department request the following additional information:

1. *Green Infrastructure*

The submitted plans conflict with the County's Green Infrastructure Strategy. Please refer to Chapter 4 of the County Development Plan: [chapter-4-green-infrastructure.pdf](#) (sdcc.ie)

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.

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

This development has not considered the impacts on Green Infrastructure and is in direct conflict with the above objectives.

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Additional Information is required in relation to this:

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, having regard to the following:

- i. In the case of small-scale developments this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone;*
- ii. Where the development site is located within or close to a Core or Corridor the development should, at a minimum, protect any existing GI assets and enhance same (for example, not breaking a GI Corridor but enhancing same with a connecting piece of planting, retaining hedgerows or woodlands);*
- iii. The characteristics and assets of the proximate GI Core, Corridor or SteppingStone should be reflected within proposed development, for example continuation of hedgerows, tree planting, waterways;*
- iv. Development should seek to enhance or restore features that act as ecological corridors, particularly water features, hedgerows, tree lines, areas of un-cultivated land. These, or some element of them, should be incorporated into the proposed development to create pathways for wildlife and / or increase amenity value;*
- v. Development sites which are not located proximate to designated GI Cores or Corridors should identify the nearest designated GI Core, Corridor or Stepping Stone and make provision for GI interventions on the site which could eventually provide a link to local Stepping Stones, Cores or Corridors;*
- vi. Developers should be aware that ecological corridors can also act to quickly spread non-native invasive species. Therefore, identification and control of invasive species site should be included in planning applications and the GI Plan.*
- vii. All development proposals shall be accompanied by a Green Infrastructure Plan, which will normally be submitted as part of the suite of Landscape Plans that are required for a development. Plans shall include the following:*
- viii. Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;*
- ix. Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;*
- x. Indicate how the development proposals link to and enhance the wider GI Network of the County;*
- xi. Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site; à Proposals for identification and control of invasive species.*

ADDITIONAL NFORMATION

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2. Green Space Factor (GSF)

The applicant has not submitted any information in relation to the Green Space Factor.

The quantity and quality of green infrastructure provided by new development will be improved by the implementation of a Green Space Factor (GSF) for South Dublin. The GSF is a measurement that describes the quantity and quality of landscaping and GI across a defined spatial area. This measurement comprises a ratio that compares the amount of green space to the amount of impermeable 'grey' space in a subject site. As a planning tool, this ratio is used to assess both the existing green cover within a site and the impact of new development, based on the quantity and quality of new green space provided. Greening factors have been adopted and implemented across the UK, Europe and the United States to help ensure that new development makes a positive contribution to the local environment. By ensuring that new development meets minimum standards for the provision of GI the GSF aims to secure a positive contribution to biodiversity, amenity, air quality, stormwater management, temperature regulation and other ecosystem services. The GSF prioritises the retention of existing GI features within a subject site, in order to support the protection of the County's existing GI network. At the same time, the GSF will ensure that new development incorporates new landscaping and GI features, contributing to the enhancement of the overall GI network. Chapter 12, section 12.4.2 provides further detail on the requirements for the GSF as part of planning applications.

GI5 Objective 4: To implement the Green Space Factor (GSF) for all qualifying development comprising 2 or more residential units and any development with a floor area in excess of 500 sq. m. Developers will be required to demonstrate how they can achieve a minimum Green Space Factor (GSF) scoring requirement based on best international standards and the unique features of the County's GI network. Compliance will be demonstrated through the submission of a Green Space Factor (GSF) Worksheet (see Chapter 12: Implementation and Monitoring, Section 12.4.2).

ADDITIONAL INFORMATION

3. Sustainable Drainage Systems

A sedum green roof, petrol interceptor and underground attenuation tank have been proposed. There has been no attempt to integrate an overland flow SuDS treatment train into the landscape proposals, for example irrigating planters. The proposals are lacking in source control such as disconnected downpipes, further bioretention, rain gardens, SuDS tree pits, channel rills, permeable paving. The sedum roof has limited biodiversity value and a blue-green roof or extensive green roof may be required to achieve the Green Space Factor. SDCC do not approve of using underground tanks as part of SuDS schemes where the full natural potential of the site to manage

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surface water runoff using above ground features has not been explored. The following additional information is requested:

A SuDS proposal that complies with SDCC SUDS Explanatory Design an Evaluation Guide, the Newcastle LAP and SDCC County Development Plan 2022-2028.

- i. The SuDS proposals should be a collaboration between landscape architect and the drainage engineer to integrate the SuDS into the landscape design proposals providing amenity, biodiversity, water quality treatment as well as quality and attenuation.*
- ii. Plans showing existing and proposed flows.*
- iii. Additional source control such as disconnected downpipes, further bioretention, rain gardens, SuDS bioretention tree pits, channel rills, permeable paving.*
- iv. Details on how each SuDS component function as part of the overall treatment train.*
- v. Demonstrate the biodiversity, amenity, water quality and attenuation value of all SuDS*
- vi. A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation.*

The applicant is recommended to contact the Public Realm and Water and Drainage Department to discuss.

ADDITIONAL INFORMATION

4. Landscape Proposals

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 incorporating SuDS features. The applicant shall provide a fully detailed landscape plan with full works specification including street level proposals, that accords with the specifications and requirements of the Council's Public Realm Section. The landscape proposals shall include:

- i. Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County*
- ii. Indicate how the development proposals link to and enhance the wider GI Network of the County;*
- iii. hard and soft landscape details; including levels, sections and elevations,*
- iv. detailed design of further SUDS features including disconnected downpipes, rain gardens, channel rills, permeable paving and bioretention trees pits. A blue/green or extensive green roof may be required to achieve the Green Space Factor.*

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The landscape proposals to be prepared by a suitably qualified landscape architect.

REASON: In the interest of amenity, compliance with Development Plan Policy, the provision, establishment and maintenance of a reasonable standard of landscape and proper planning and sustainable development of the area.

ADDITIONAL INFORMATION

5. *Public Open Space*

The applicant has not provided the minimum 10% useable public open space required for new residential development by the SDCC County Development Plan (2022-2028). The applicant is requested to agree a financial contribution in lieu of the lack of open space and play provision, for example to be used for upgrade works to a local park.

ADDITIONAL INFORMATION

REASON: To uphold the policies of the South Dublin County Council Development Plan 2022-2028 relating to Children's play, and to provide for the proper planning and sustainable development of the area.

The report from Public Realm is noted. The detail in relation to the landscaping plans can be agreed via condition. Issues relating to public open space are addressed under the sub-heading Public Open Space. The applicant should however be requested to address the green space factor items to ensure compliance with the 2022-2028 CDP. **This can be addressed via additional information.**

Access and Parking

Pedestrian access to the public house would be via the western elevation and a separate entrance is proposed to connect the carparking area with the storeroom. There are 3 no. shared pedestrian accesses to the building for the apartments from the northern elevation.

Third party submissions received on this application raise concerns regarding the safety in regard to and legal use of the accessway to the east off Collinstown Road. The applicant states that this access would be used for the proposed apartment car parking, bin collection and deliveries to the public house. They advise that they have a right-of-way for these purposes. A letter from Hatstone (Ireland) LLP Corporate and Employment Solicitors and associated documents are submitted detailing this. This also clarifies the shape of the site boundary (indent) in the north-eastern corner, which is that way to facilitate a fire exit and matches the as built property.

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The proposed development would include 12 no. car parking spaces at the ground floor level of the site. This car parking area would be accessed via the accessway off Collinstown Road. A reduced number of car parking spaces from the maximum requirement is considered appropriate in this instance due to the site's location within a local centre and proximity to public transport. However, the Planning Authority and Roads Department have concerns with the proposed no. and consider it slightly too low.

The application states that no car parking is proposed for the public house element of the proposal. It is noted that there are no existing car parking spaces onsite for the current use of the public house. Given this and the proposed reduction in size of the public house, the proposal is considered appropriate in this instance.

The proposal would provide for 72 no. bicycle parking spaces within the proposed ground floor car parking area. The proposed bicycle parking exceeds the minimum requirements, seemingly to compensate for the low car parking provision.

The Roads Department has reviewed the proposed development and requests additional information:

Access & Roads Layout:

Access to the car parking is to the rear of the development, along a narrow laneway. The access has a footpath on one side only. Pedestrian access to the public house is off Neilstown Road. A traffic and transportation assessment has been submitted; it contends that the development will contribute very little to the local traffic.

Refuse collection is proposed to take place at a layby on Collinstown Road, considering the development will likely utilise 1100ltr bins this is not acceptable, the refuse collection must be provided within the development, large containers should not be left on the public areas. Although in the planning report the applicant details refuse collection from the service lane to the rear. If this is the case the applicant should provide an autotrack detailing the refuse collection and fire tender access to the development.

The public house will be serviced through the residential car park to the rear of the development. This should be shown by way of Autotrack. The mixing of residents and delivery vehicles should be avoided.

Car Parking:

It is proposed to provide 12no. car parking spaces.

For 26 apartments with a parking ratio of 0.57 this development requires 15no. car parking spaces. The proposed number is too low and may lead to the parking spaces outside the development being utilised by residents.

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The public house of 910m² requires parking of 1 per 40m² considering that Zone 2 is applied. Requiring 23no. car parking spaces, the applicant is providing none.

The parking area is quite restrictive, and it is not clear if vehicles can move when all the spaces are full, the applicant shall submit an autotrack detailing how vehicles can exit the development safely when the car park area is full.

Bicycle Parking:

The applicant is proposing 72no. bicycle stands, this is far more than the required number of 61no. The overprovision is provided to mitigate the reduced car parking numbers.

Taking in Charge:

No improvements to the public realm have been identified and no areas for future taking in charge. Roads recommend that additional information be requested from the applicant:

- 1. Please submit a revised layout of not less than 1:200 scale, showing a designated 15 no. parking spaces, showing the location and number of parking spaces to be provided at the development.*
- 2. A revised layout of not less than 1:100 scale, showing boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
- 3. Revised layout of not less than 1:100 scale, showing a swept path analysis drawing (i.e., Autotrack or similar) demonstrating that fire tenders and large refuse vehicles can access/egress the site. Detailing the location of refuse collection areas.*
- 4. The applicant is requested to submit a revised layout of not less than 1:200 scale showing the location and number of parking spaces to be provided at the public house development. Please refer to Table 12.25: Maximum Parking Rates (Non-Residential) – from the SDCC County Development Plan 2022-2028.*
- 5. Revised layout of not less than 1:100 scale, showing a swept path analysis drawing (i.e., Autotrack or similar) demonstrating that vehicles can exit the development in a forward direction if the car park is full.*

The report from the Roads Department is noted. The applicant should be requested to revise the layout to provide further car parking spaces. Swept path analysis drawings should be submitted for clarity. **This can be addressed via additional information.**

Public Lighting have reviewed the proposal and advise that it has no impact on public lighting and therefore they have no comment.

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Infrastructure and Environmental Services

Water Services have reviewed the proposed development and request the following additional information:

1.1 *The applicant has proposed to discharge surface water run-off from the proposed development to the foul water drainage network. This is not permitted by SDCC drainage section so alternative means of discharging surface water must be submitted by the applicant.*

1.2 *The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:*

- *Permeable Paving*
- *Grasscrete*
- *Other such SuDS*

This report is noted. **The separation of the drainage networks should be addressed via additional information. SUDS measure should be addressed as part of the response on the green space factor.**

Irish Water has reviewed the proposed development and has no objections subject to standard conditions. This report is noted and shall be conditioned as such in the event of a grant of permission.

Environmental Health

An Acoustic Assessment prepared by Searson Associates has been submitted. This assesses the existing and proposed noise levels pertaining to construction and the public house. The report recommends acoustic control measures for the proposed development, including for the apartments adjacent to the public house.

No report from the H.S.E. Environmental Health Officer was received on this application. It is, however, noted that this assessment was reviewed by the H.S.E. EHO under the previous application Reg. Ref. SD21A/0216 and was found acceptable. The measures detailed in this acoustic assessment should be conditioned in the event of a grant of permission. Standard conditions in relation to construction hours, restrictions on noise and dust emissions from construction, storage of refuse, pest control, operation noise, connections to the main sewer, construction signage and lighting and deliveries should also be attached.

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

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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

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established urban area and has an existing use on site. Having regard to the scale and nature of the proposed development, the location of the development within a serviced urban area so that any construction surface water runoff will be managed via the existing drainage system, the consequent absence of a pathway to a European site, it is considered that the proposed development would not be likely to have a significant effect individually, or in combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Conclusion

While the principle of the proposed development is acceptable, **additional information** is required in relation to design and layout, green space factor and car parking.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

- (a) On the western and northern elevations, ground floor Apartments 1, 2 and 3 would have windows to habitable rooms in close proximity to the public footpath with limited setback and privacy strip width provided. This would not provide an appropriate level of privacy to these apartments and lead to a substandard form of development. These should be revised to provide a greater setback of these windows from the public realm and adequate privacy strip.
 - (b) Some further variation in material, colour and form would be welcomed, particularly on the northern elevation, given the site's prominent location. The circular form balconies on the corner of the building are not considered to be a visually acceptable design response and should be redesigned to a more appropriate form. The submission of CGI images or elevational drawings with colour would be welcomed in order to adequately assess the design of the proposed building.
2. The applicant is requested to demonstrate how they can achieve a minimum Green Space Factor (GSF) scoring requirement in accordance with Policy G15 Objective 4 of the South Dublin County Development Plan 2022-2028. Compliance will be demonstrated through the submission of a Green Space Factor (GSF) Worksheet.

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3. The applicant is requested to provide the following in relation to access and parking:
 - (a) A revised layout for provision of further car parking space(s) onsite.
 - (b) Revised layout of not less than 1:100 scale, showing a swept path analysis drawing (i.e. Autotrack or similar) demonstrating that fire tenders and large refuse vehicles can access/egress the site, and that that vehicles can exit the development in a forward direction if the car park is full. Detailing the location of refuse collection areas.
4. The applicant has proposed to discharge surface water run off from the proposed development to the foul water drainage network. This is not permitted by SDCC drainage section so alternative means of discharging surface water must be submitted by the applicant.

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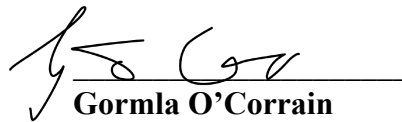
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REG. REF. SD22A/0346

LOCATION: The Finches Public House, Finches Shopping Centre, Neilstown Road,
Clondalkin, Dublin 22, D22 H7X9



**Deirdre Kirwan,
Senior Executive Planner**



**Gormla O'Corrain
Senior Planner**

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date: 20 October 22



**Mick Mulhern, Director of Land Use,
Planning & Transportation**