



The Manager

SDCC,

County Hall

Tallaght

Dublin 24

27th November 2022

Reg.Ref: SD22a/0401

Applicant: Emmaville Ltd

Location: Scholarstown House, Scholarstown Road, Dublin 16

Proposed Development: Demolition of the 4 existing shed structures on site within the curtilage of the protected structure; Retention and conversion of Scholarstown House (Protected Structure) into two residential units comprised of 1 two bed and 1 three bed units served by private open space in the form of ground floor terrace; The proposed works to Scholarstown House include but are not limited to internal re-configuration; Re-location of the staircase to its original location within the house; Removal of non-original features including the closing up of non-original openings; Creation of a new door opening within the existing alcove, and the blocking up of a window opening both located on the northern elevation; Construction of an apartment block ranging in height from 3 to 5 storeys containing 74 apartment units comprised of 32 one bed apartments, 33 two bed apartments, and 9 three bed apartments all served by private open space in the form of balconies and/or ground floor terraces; The proposed development also includes 100sq.m of residential amenities and facilities consisting of but not limited to a reception, communal amenity room and parcel room; The development will be served by a total of 40 car parking spaces and 183 cycle parking spaces accessed via a new pedestrian and vehicular access off Orlagh Grove with the existing entrances on Scholarstown Road and Orlagh Grove being re-configured to provide for pedestrian and cycle access; All ancillary development works required to facilitate the development including but not limited to, plant rooms, a substation, bin stores, landscaping, boundary treatments and lighting; The proposed development comprises the carrying out of works to a protected structure: Scholarstown House (RPS Ref: 322).

Dear Sir or Madam,

We wish to object to the application for the following reasons:

- The documentation that was uploaded to the SDCC site was of very poor quality. It was difficult to inspect the planning file online and it is a poor administrative practice to continue to accept such substandard illustrations and drawings for public consultation by this local

authority. This deterioration in standards with such poor oversight of clear and good quality scanning by this local authority suggests it does not support or seek public participation under Aarhus.

- This planning application is invalid as the site notice does not describe the extent of the proposed works onsite.
- It is contrary to the current SDCC Development Plan its policies and objectives.
- It is contrary to sustainable development and principles of proper planning
- It is contrary to the Planning & Development Act.
- It is contrary to the Architectural Heritage Protection Guidelines (DOEHLG).
- This development will have a devastating impact on Scholarstown House, a protected structure, its setting, character, and curtilage. It must rank as one of the most insensitive and oppressive attempts to dismantle our built heritage. A density of 96 uph within the curtilage of a protected structure shows that the subtext of this development is to wipe out the character of this historic house built by Adam Loftus in the 1500s. The poor design, increased height, increased density, and overwhelming massing of these units is out of character with the pattern of development within a protected curtilage of a protected structure itself elsewhere. A more sympathetic design and a reduction in density, setback and height would have addressed this. A more appropriate lay-out within the confines of the existing sheds would have been more sympathetic.
- The changes proposed including the additional massing of the buildings along Scholarstown Road on this corner site should be avoided as it disrupts the existing character of the road with its treeline corner site spectacle and the character of the protected structure onsite which is unique in terms of placemaking and urban planning.
- Scholarstown House was originally built by Adam Loftus in the 1500s and whilst the applicant denotes there was fire damage in the 1900s this house and outbuildings has substantial group, regional and national significance. The applicant has confirmed that some of the original fabric and structure of the original house 1500s is still in situ and is therefore a unique protected structure. This is also unique in terms of conservation potential for its built and natural heritage function and the contribution it makes to the character, placemaking and history of the area.
- The protected structure should remain as one unit and the existing boundary treatment of the boundary wall and tree canopy should be left in situ. Scholarstown House, the protected structure has always had its own entrance and this should remain so.
- We are concerned about the boundary treatment. The boundary treatment is exceptionally poor and unsympathetic.
- We note that the Applicant is seeking retention for works carried out on a Protected Structure where there was no planning permission sought – it is not clear what ‘works’ these were and the scale of the impact of these works on a Protected Structure, its character and setting.
- The historical and heritage assessment of this site is very poor. We have serious concerns about the Conservation Methodology being proposed.
- There is no Archaeological Assessment which is remarkable as there was a substantial ringfort and other smaller circular structures - literally across the road from this site at Scholarstown SHD. Perhaps the Applicant has not read the NIAH description which clearly states the Categories of Special Interest to be Archaeological, Architectural and Technical
- We believe that this development is contrary to the EU Habitats Directive.

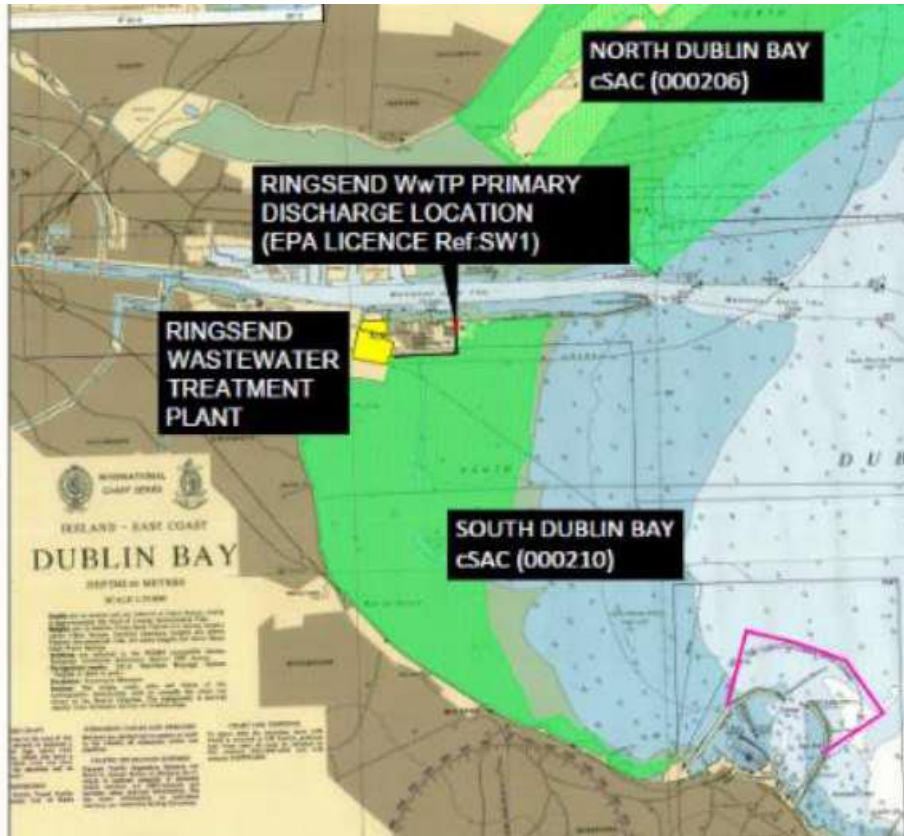
- We know that this area, has a large bat population and we are concerned about the impact this development will have on bat flying paths, foraging and nesting. The Bat Survey is inadequate and clearly the authors may need to revisit the most recent case law.
- This development is contrary to the Water Framework Directive and its objectives.
- This development appears to be unable to address comprehensively and sustainably using a natural based solutions approach its surface water problem, and it is somewhat incredulous it would seek to remove so many trees.
- The applicant has not clarified or examined the impact this development will have on the Woodstown Streams which are part of the Dodder Catchment. This watercourse is hydrologically connected to a Natura 2000 site.
- The 'cumulative effects' of the other developments have not been considered in respect of this development.
- This development we believe is contrary to the EIA Directive.
- The construction plan for this development is inadequate and will cause significant disruption to the area and existing residents and local traffic.
- We are concerned about the impact on the Green Infrastructure, wildlife habitat onsite and protected species. No attempt has been made to address the function of this site as an important ecological corridor.
- The tree survey shows a devastating rate of tree removal and the severity of the impact on the street canopy, landscape screening is truly shocking, unacceptable and contrary to SDCC Development Plan.
- It is simply irresponsible in a Climate and Biodiversity Crisis for an applicant to propose such a development where 77 trees are assessed and of those 56 trees are to be removed as well as 6 groups of trees and the majority of the remaining trees will have their Root Protection Area (RPA) interfered with as part of the construction phase. The question should be asked will there be any trees left unaffected by this development?
- We seriously believe that this development will have a serious impact on the remaining natural linkages in the area.
- Enhancing existing biodiversity has not been considered and the idea that you can cause such irreparable damage to the existing tree canopy which will never recover even when mature is not acceptable and is contrary to Sustainable development and national biodiversity objectives and Development Plan objectives.
- We note there is no bird survey
- There is no noise survey or assessment.
- The shadow survey is seriously flawed
- There is no assessment of the impact this development will have on air quality.
- There is an inadequate Traffic Impact Assessment.
- The Orlagh Roundabout is non-compliant with planning law and therefore it would be irresponsible of the local authority to add further pressure to a Roundabout and surrounding road network that is acknowledged to be at capacity if not over its functional and safe capacity.
- This development is clearly car dependent as there is insufficient frequency and capacity of public transport on this road and at this location.
- The Judgement by Judge Holland regarding a development on Taylor's Lane SHD is relevant here and it is interesting to note that the applicant has not referenced it despite its pertinence.

- There is a real risk of car park spillage on surrounding estates such as Orlagh and Woodfield which has not been assessed.
- The provision and quality of the open space for recreational purpose is inadequate
- There is no play space area or kick about space
- There is no teenager recreational area
- The fragmented approach to the open space provision is unacceptable.
- The private amenity space provision such as balconies/terraces are insufficient and poorly designed
- The community facilities and area are poor in this proposal and with so many other developments relying on the same facilities – it is not sustainable. There is no SDCC library anymore in Ballyboden, so the nearest ones are Tallaght or Ballyroan. There is no SDCC Community Centre serving Ballyboden or Knocklyon.
- We have serious concerns regarding the standard of design as it impacts the residential amenities of any new resident
- It is not clear to us what percentage of these units will be owner occupier or rental
- The Housing Statement declares a housing mix breakdown of 13% 3 bed units with the emphasis being 43.5% one bedroom and 43.5% two-bedroom units - is contrary to the SDCC Development Plan. The rationale for this mix is based on DAFT.ie which is not an independent source of information.
- Pathways via Ringsend Wastewater Treatment Plant

There is a pathway from the site via wastewater and surface flows to the Natura 2000 sites in Dublin Bay, via the Ringsend treatment plant and the River Dodder respectively. The Ringsend wastewater treatment plant (WwTP), when functional, treats and then discharges into Dublin Bay. The plant is designed to serve a population equivalent (PE) of 1.64 million but is currently operating above its capacity at 1.9m PE. The proposed development will increase the excess loading on the Ringsend Wastewater Treatment Plant. The Ringsend WwTP and its outfall are outside but adjacent to the boundaries of the South Dublin Bay and North Dublin Bay SACs and within the vicinity of 2 additional SACs. Irish Water data details that untreated wastewater has overflowed into Dublin Bay from the Ringsend Wastewater Treatment Plant (WWTP) more than 100 times since the beginning of 2015, with more than 9 billion litres of untreated wastewater discharged into the Liffey estuary from storm holding tanks at Ringsend WWTP, including:

- ☒ 2.8 billion litres discharged on 30 occasions in 2015
- ☒ 3.1 billion litres discharged on 35 occasions in 2016
- ☒ 1.2 billion litres discharged on 14 occasions in 2017
- ☒ 2 billion litres discharged on 18 occasions in 2018
- ☒ 320 million litres discharged on seven occasions in 2019

The proposal will increase loading on the WwTP, leading to increased discharge incidents into Dublin Bay, therefore, in combination with other plans or protects. negatively impacting on the South Dublin Bay SAC, in contravention of the Habitats Directive.



2.1.4.2 Treatment Capacity Report Summary - Ringsend WWTP

Treatment capacity is an assessment of the hydraulic (flow) and organic (the amount of pollutants) load a treatment plant is designed to treat versus the current loading of that plant.

RINGSEND WWTP	
Peak Hydraulic Capacity (m ³ /day) - As Constructed	959,040
DWF to the Treatment Plant (m ³ /day)	274,076
Current Hydraulic Loading - annual max (m ³ /day)	832,269
Average Hydraulic loading to the Treatment Plant (m ³ /day)	458,641
Organic Capacity - Design / As Constructed (PE)	1,640,000
Organic Capacity - Current loading (PE) - peak week load	2,278,887
Organic Capacity – Remaining (PE)	0
Will the capacity be exceeded in the next three years? (Yes/No)	Yes

No flow or BOD data was discounted by IW for 2020.

Please see attached receipt of payment for 20 euros which we note is contrary to EU Law.

Kind regards

Angela O'Donoghue

Chairperson

Ballyboden Tidy Towns CLG

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