

Comhairle Chontae Atha Cliath Theas

PR/0805/23

Record of Executive Business and Chief Executive's Order

Reg. Reference:	SD22A/0401	Application Date:	25-Oct-2022
Submission Type:	Clarification of Additional Information	Registration Date:	14-Jun-2023
Correspondence Name and Address:	HW Planning 5, Joyce House, Barrack Square, Ballincollig, Co. Cork		
Proposed Development:	<p>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</p>		

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Location: a protected structure: Scholarstown House (RPS Ref: 322).
Scholarstown House, Scholarstown Road, Dublin 16

Applicant Name: Emmaville Limited

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.79 Hectares on the application form.

Site Visit: 23rd of November 2022.

Site Description

The subject site is located on the corner of Orlagh Grove and Scholarstown Road. The site adjoins a site with a row of shops, childcare facility, takeaways and beauty clinic to the south. St. Colmcille's Community School is located to the east and south of the site. To the east, across Orlagh Grove, is low density, detached and semi-detached two storey housing. To the north of the site, across Scholarstown Road is existing and permitted (currently under construction) housing and apartment buildings.

The subject site consists of Protected Structure Scholarstown House (RPS Ref: 322), in the centre-east of the site, and agricultural type outbuildings, in the south-west corner. The remainder of the site is grassed with mature trees and vegetation. The site has vehicular accesses from Orlagh Grove and Scholarstown Road.

Proposal

Permission is sought for the following works:

- 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;

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- 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).

Zoning

The subject site is largely zoned Zoning Objective 'RES': *'To protect and/or improve residential amenity'* under the 2022-2028 CDP. Parts of the southern and eastern boundaries of the site overlap with 'OS': *'To preserve and provide for open space and recreational amenities.'*

Consultations

Water Services	Additional information requested.
Irish Water	No objection subject to conditions.
Roads Department	Additional information requested.
Public Realm	No objection subject to conditions.
Waste Management	No objection subject to conditions.
Heritage Officer	No report received at the time of writing this report.
Architectural Conservation Officer	Additional information requested.
Housing Department	No objection subject to conditions.
County Architect	No report received at the time of writing this report.
H.S.E. Environmental Health Officer	No objection subject to conditions.
National Transport Authority	No report received.
Transport Infrastructure Ireland	No report received.
Failte Ireland	No report received.
Heritage Council	No report received.
An Taisce	Observations received
Department of Housing, Local Government & Heritage	No report received.
An Comhairle Ealaion	No report received.

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SEA Sensitivity Screening – the subject site overlaps with the following:

- Aviation layers Approach Surfaces and Outer Horizontal Surfaces for Casement and Bird Hazards.
- Protected Structure Scholarstown House (RPS Ref: 322).

Submissions/Observations/Representations

There were 46 no. third party submissions received on the application, which raised the following points in summary:

Visual and residential amenity

- Would be visually incongruous and at variance with the predominant pattern of development in the area. Orlagh Grove is a mature settled 2 storey development which would be overlooked front/back gardens.
- Obstruction of scenic views of Dublin Mountains from Scholarstown Road
- New apartments could have negative effect on house prices. Max profit on minimum space.
- Proposals overlooks school grounds, raising concerns of privacy, child protection/safety issues. More cars increase risk in relation to school.
- Over-development of the site, density of housing, proposal's bulk overshadows Orlagh/Woodfield estates
- Scale, bulk, density and height not appropriate
- The number of one beds over 2/3 beds, this will not address needs of homeowner.
- Residents will be adjacent to of Astro pitch and will be impacted by lighting, noise and foul language.
- Significant negative impact on residential amenity of adjoining residential properties. Impact on adjoining and surrounding residential properties through proximity of mass and scale, loss of privacy, loss of security, impact views.
- Shadow survey flawed.
- Open space and play provision inadequate.
- Unit mix and tenure.

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Local infrastructure and amenities

- Knocklyon has no village centre/main street. Lack of restaurants /coffee shops, parks or amenities.
- Local amenities have not been expanded or enhanced to cater for the additional residents and resultant vehicular and pedestrian traffic.
- The areas infrastructure has collapsed due to development. Traffic and schools can't support.
- Local schools/child minding services already at capacity, also lack of spaces in sporting clubs to accommodate 'existing' children. No increase in core services for all age groups especially school age children.

Traffic and car parking

- Traffic management remains a major issue at all times of day despite multiple requests to SDCC to alleviate the issues. The traffic survey carried out Wed 17th August doesn't reflect the true and accurate levels at the site. Traffic from the Two Oaks development (590 units) hasn't been considered.
- Travel plan (page 10) indicates the 'excellent public transport links'...Under what criteria are these services excellent. They are currently full even before Two Oaks is populated.
- Unrealistic assumption that residents will not use private vehicles
- No barriers at Orlagh Grove (exit location of proposal) cyclists crossing presents serious injury risk, more so with additional residents.
- Other recent developments at adjacent sites (Cosgrave 600 dwellings) exacerbate congestion, local amenity pressure
- Concerns in relation to the lack of car parking provision. Would exacerbate existing car parking issues. Including weekends. Sharing of existing roads with new residents.
- Only 40 car parking spaces for 75 apartments is insufficient. Already parking at local shops (Orlagh Grove) is difficult.
- Orlagh roundabout currently struggling with traffic congestion, public transport Service deteriorating.
- TIA inadequate.

Ecology and Trees

- Ecological impact of tree felling/removal of hedgerows.
- No assessment of the impact on birds.
- Concerns in relation to impact on bats.
- Address the function of the site as an important ecological corridor.

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Architectural Heritage

- Significant alterations to Scholarstown House (protected structure). Previous works on this structure carried out.
- Concerns with impact of the proposal on Scholarstown House, in relation to character, design, height and overshadowing.
- Concern with conservation methodology proposed.

Other

- No solar panels on roof plan (described in energy statement). Only 8 no. EV charging points.
- Quality of documentation uploaded online.
- Invalid as notice does not describe extent of proposed works.
- Contrary to local and national plans, legislation, guidelines, EU Directives and the sustainable development and principles of proper planning.
- Concern with boundary treatment.
- No archaeological assessment.
- Impact on Woodstown Streams. Hydrological connection to Natura 2000 sites.
- Construction will cause disruption.
- No noise or air quality assessments.
- No reference to a Judgement by Judge Holland regarding a SHD development on Taylor's Lane.

An Taisce has provided an observation stating:

The 3 to 5 storey apartment block which stretches from West to South East of the 2 storey Protected Structure will completely overshadow and dwarf it. The NIAH entry states the house retains its attractive setting; this would be completely destroyed by the proposed development. The house and its private garden will be devoid of sunlight in winter. The long homogeneous block will dwarf the adjoining two storey houses. Practically all the trees on this densely wooded site are to be removed.

These submissions/observations have been reviewed in full and taken into consideration in the assessment of the proposed development.

Relevant Planning History

Subject site

None.

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Adjoining school site

SD20A/0146

A cluster of solar PV panels measuring approximately 65sq.m lying flat on the roof of the technology rooms measuring approximately 350sq.m. **Permission granted.**

SD19A/0144

Installation of roof mounted solar photovoltaic (P.V.) system on the roof of the sports hall; cluster of solar pv panels (approximately 85sq.m) lying flat on the roof of the sports hall (approximately 700sq.m). **Permission granted.**

SD18A/0297

Three storey split level extension to side of existing sports hall to consist of changing and toilet facilities at lower ground floor, performance space at upper ground floor and multi-function space at first floor. Works will also include all associated demolition, landscaping, drainage and site works. **Permission granted.**

SD12A/0063

Construction of a new 35sq.m. single storey extension with internal alterations to existing art room to the rear of school to include new kitchen store. Works will also include alterations to existing art room windows and all associated demolition, landscaping, drainage and site works. **Permission granted.**

SD05A/0612

342sq.m single storey classroom extension block to the front of the existing 4026sq.m school to accommodate Transition year students. The proposed extension comprises two general classrooms (43.75sq.m each), a technical drawing room (59.5 sq.m), two group rooms (21.7 sq.m each) a religion/meditation room (53.9 sq.m) a pastoral office (9.9 sq.m) an administrative office (6.1sq.m) and will incorporate minor landscaping and drainage line re-location. **Permission granted.**

SD04A/0506

Upgrading and extension of an existing Netball court area into a synthetic pitch approximately 53 mtrs wide by 97 mtrs long. The upgrade will include the erection of perimeter fencing which will be generally 3 mtrs in height with ends of 4.5mtrs in height and the installation of eight floodlight columns which will provide artificial lighting to the pitch, to the rear of the building on existing playing fields. **Permission granted.**

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Adjoining shops to south

SD21A/0289

Change of use of part of existing office at unit 1 first floor to provide additional floor area to existing pre-school facility at unit 2 first floor; associated works including new openable windows at each gable. **Permission granted.**

Relevant surrounding sites

ABP Ref. TA06S.305878

Demolition of all existing structures on site which include a single storey dwelling known as 'Beechpark' (172sq.m), a 2 storey dwelling known as 'Maryfield' (182sq.m), with associated garage/shed (33.5sq.m) and associated outbuildings (47.1sq.m); and the construction of 590 residential units (480 Build-to-Rent apartment units and 110 Build-to-Sell duplex units and apartments), ancillary residential support facilities and commercial floorspace. **Permission granted (9th March 2020).**

S01A/0852

Three storey with penthouse apartment building comprising 4 no. 3 bed apartments, 26 no. 2 bed apartments, 7 no. 1 bed apartments 65 no. car spaces, bicycle storage, refuse storage area, new vehicular/pedestrian entrance off Scholarstown Road, new boundary wall treatment to north boundary and associated landscaping. **Permission granted**

S00B/0471

Revised site boundary, new vehicular access point and parking area to rear, being located on the land surrounding protected structure Ref. No. 2/193, house, recessed gateway and gates.

Permission refused.

Relevant Enforcement History

None identified in APAS.

Pre-Planning Consultation

Pre-Planning Ref. PP054/22

Proposed build-to-sell residential apartment development, with a proposed indicative range of 60-80 residential units.

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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 NCBH19: Protected Structures

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

NCBH19 Objective 1:

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

NCBH19 Objective 2:

To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Protection Guidelines for Planning Authorities, DAHG (2011 or any superseding documents) including the principles of conservation.

NCBH19 Objective 3:

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

Policy NCBH23: Architectural Conservation and Design

Policy NCBH24: Adapting and Reusing Historic Buildings

Policy NCBH25: Placemaking and the Historic Built Environment

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

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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

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP6: Public Realm

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

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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 H13: Residential Consolidation

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

Policy IE9: Casement Aerodrome

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.3.7 Protected Structures

12.4.2 Green Infrastructure and Development Management

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

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- 12.5.4 Public Realm: (At the Site Level)*
- 12.6.1 Mix of Dwelling Types*
- 12.6.7 Residential Standards*
- 12.6.8 Residential Consolidation*
- 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).

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).

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

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Circular PL 3/2016 - Childcare facilities

Childcare Facilities Guidelines for Planning Authorities (2001)

ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development (May 2017)

Circular Letter NRUP 03/2021 - S28 Guidelines on the Regulation of Institutional Investment in Housing

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;
- Archaeological Heritage;
- Architectural Heritage;
- Density, Height and Mix;
- Visual and Residential Amenity;
- Open Space;
- Green Infrastructure, Ecology and Landscaping;
- Access and Parking;
- Infrastructure and Environmental Services;
- Waste Management;
- Environmental Health;
- Screening for Environmental Impact Assessment; and
- Screening for Appropriate Assessment.

Zoning and Council Policy

The subject site is largely zoned Zoning Objective 'RES': '*To protect and/or improve residential amenity*' under the 2022-2028 CDP. Slivers of land along the southern and eastern boundaries of the site overlap with Zoning Objective 'OS': '*To preserve and provide for open space and recreational amenities.*' The proposed development is for the conversion of Scholarstown House into 2 no. residential units and the construction of an apartment block of 74 no. apartments.

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Residential development is Permitted in Principle under the RES zoning. Boundary treatment and landscaping are proposed in the part of the site zoned OS. The adjoining school site to the east and south of the subject site is zoned OS. The applicant states that a pinch point was identified to the south east of the application site with the boundary of the school where there is currently conflict between cars and pedestrians at the school due to the curved shaped of the existing boundary. As part of the subject application, it is proposed to re-position the boundary wall to address this issue.

It appears that the existing site boundary already includes the part of the land zoned OS. So, there would be no further extension of the site into the OS zoned lands. Due to the proposed changes to the boundary, the applicant states that part of the boundary would be ceded to the school. The applicant should be requested to submit **additional information** to clarify the zoning of the site. The existing and proposed site layouts and boundary should be overlaid precisely with the SDCC County Development Plan 2022-2028 zoning maps.

Part V Provision

The Housing Department has reviewed the proposed development and states the following: *I refer to the above application for planning permission Reg Ref SD22A/0401 and I wish to advise that a Part V condition should be attached to any grant of permission for this application.*

The Part V proposal lodged with the planning application indicates that the Part V proposal is for 3 Ground Floor, 6 first floor and 6 second floor apartments. It is requested that the applicant engages directly with the Housing Department concerning this proposal. The Housing Department will require 3 ground floor units of incorporating the key features universal design and suitable for candidates on the Councils medical priority housing list, to be included in the proposal.

The Part V percentage liability is dependent on the date the applicant purchased the subject site and the applicant is required to provide proof of same to the Housing Department.

Further proposals are subject to review and consideration by the Housing Department, subject to planning approval. 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.

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A Part V **condition** should be attached in the event of a grant of permission.

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Archaeological Heritage

Third party submitters have raised concerns in relation to impact on archaeology. The subject site does not comprise of nor is proximate to a designated Area of Archaeological Potential or Record of Monument and Place. It is noted that works under ABP Ref. TA06S.305878, located to the north-east of the subject site, unearthed a feature of archaeological interest. Given the size and nature of the subject site, **conditions** in relation to archaeological testing, monitoring and reporting should be included in the event of a grant of permission.

Architectural Heritage

The proposed development would involve works to and within the curtilage of Protected Structure Scholarstown House (RPS Ref: 322). Submitted with the application is an Architectural Heritage Impact Assessment, which includes a Method Statement, prepared by John Cronin and Associates.

SDCC's Architectural Conservation Officer has reviewed the proposed development and states the following:

Protected Structure

Scholarstown House is referred to in the Council's Record of Protected Structures - Schedule 2 of the South Dublin County Development Plan 2022-2028 under Map Ref. No. 322. Under Section 2 of the Planning and Development Act 2000, the term 'structure' means "any building, structure, excavation, or other thing constructed or made on, in, or under any land, or any part of a structure so defined, (a) where the context so admits, includes the land on, in or under which the structure is situate, and (b) in relation to a protected structure or proposed protected structure, includes (i) the interior of the structure, (ii) the land lying within the curtilage of the structure, (iii) any other structures lying within that curtilage and their interiors, and (iv) all fixtures and features which form part of the interior or exterior of any structure or structures". Therefore, the entire site is a protected structure, including all existing buildings on site including their exteriors, interiors, fixtures and fittings. The Protection also extends to the lands of the site and as such come under the provisions of the Planning and Development Act 2000.

Appraisal

The proposed development consists of the following; 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;

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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; A pre-planning meeting took place between the applicant/agents and the Planning Authority including the undersigned. On foot of pre-planning meetings/discussions the overall design and type of development and impacts on the Protected Structure were discussed. The proposed height and its location and separation to the Protected Structure was highlighted. The overall use and incorporation of the Protected Structure into the development was also discussed at pre-planning. It is extremely important for the longevity of the Protected Structure and viability of use that this is given full consideration. Separation distance and setting of the protected structure were also discussed and how the existing house would sit within the site and overall visual impacts of same.

Proposed works to Protected Structure

Scholarstown House is a Protected Structure (RPS Ref. 322) as detailed above. The proposed residential development is located within the curtilage of Scholarstown House. It is proposed to convert the protected structure into two residential units comprising of 1 two bed and 1 three bed units.

An Architectural Impact Assessment has been completed and submitted as part of the planning application which provides details on the historic development of the site and existing house and under Appendix 2 A Conservation Method Statement. An assessment of the existing house has been provided in order that its architectural and historical significance is understood. The property having been damaged by fire and rebuilt in 1909 and is the structure which exists today. The property is a modest early 20th Century structure with good proportions and presence within its existing setting and associated outbuildings. It is proposed to retain all original material within the new proposals, however in order to facilitate the subdivision of the existing house into 2 no. dwellings new or enlarged openings are proposed along with revisions to the original floor plan and other related works.

A room by room assessment of the proposed changes is provided with regard to overall impact. On assessment of the level of works proposed the undersigned considers the majority of the work to have modest/minimal impacts. However, there are some areas of alterations and revisions to the original layout and insertion of additional services where negative impacts are likely.

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The following items proposed need to be addressed as part of a request for Additional Information: -

- *It is considered that where original windows are proposed to be blocked up alternatives should be considered, or alternative designs considered in order to provide a solution and the retention.*
- *Removal of original architectural features is not acceptable and where this has been indicated, mitigation measures or alternative floor plans should be provided in order to negate the removal of architectural features.*
- *Where additional services are proposed details shall be provided on how services i.e., bathrooms and w/c will be integrated and how these will be ventilated etc.*
- *The Conservation Methodology provides details on the architectural elements for repair which is very helpful in directing the works in accordance with best conservation principles and practice. There are no details included on any proposed energy efficiency works to the protected structure. Clarification should be sought with regard to any such works.*

It is considered that in addition to the Conservation Methodology a Schedule of Works should be provided for each floor in order to specify all the works to include; interventions/revisions, conservation repairs and routine maintenance. A Schedule of Works and Method statement for the specific elements should also include how the items listed above will be dealt with as part of the entire scope of works to the protected structure.

Outbuildings

It is proposed to demolish all of the existing Outbuildings. The outbuildings have been included in the Architectural Impact Assessment and survey drawings of the existing buildings have been provided. On assessing the existing Outbuildings and details provided, it is felt that the Building D should be re-examined with regard to its retention and adaptive reuse as part of the overall development. It is considered that the retention of an original early 19th century outbuilding would provide additional architectural interest and character to the site and will support the association with Scholarstown House and the overall setting of the original site. It was advised during the pre-planning meeting that the original outbuildings should be considered with regard to possible retention for reuse or using the footprint and architectural elements of the outbuildings in the design of the new build allowing a sensitive building type and link with the Main House.

Proposed residential development within the Curtilage of Protected Structure

The proposed apartments are located within the curtilage of the Protected Structure (Scholarstown House, a Protected Structure, RPS Ref. 322). The vista to the Protected Structure has been retained which is welcomed. The residential apartments block ranging in height from 3 to 5 storeys containing 74 apartment units are mainly located along the south end of the site with one building forming a backdrop to the Protected Structure.

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As part of the pre-planning discussions the height of the proposed apartment block was raised with regard to the Protected Structure and overall site context. At the pre-planning meeting a concept design for the scheme was presented, however the design concepts and ideas with regard to changes in design, heights and roof profiles which the undersigned had given positive feedback on is not shown in the scheme now proposed.

The mass, scale and height of the proposed apartment block is too overbearing on the site as the dense form is concentrated along the site in one form and is not broken up sufficiently with separation, different roof profiles providing different heights and different architectural forms and materials in order to provide a more suitable backdrop and building type against the setting of the Protected Structure.

It is considered that the overall design, mass and height should be reconsidered and revised in order to find a greater balance between the existing and new development. It is noted that the height has been reduced where the new block forms a backdrop to the protected structure, however, not enough has been done in relation to the overall design to the adjoining block to provide a building type that doesn't completely overshadow and dominate the protected structure and site context.

Given the concerns raised above it is recommended that Additional Information be requested in order to find a more suitable and sensitive building type/design for the proposed new development on the site. Additional information is also required in order to address the concerns and issues raised in relation to the subdivision of the Protected Structure and demolition of the existing outbuildings.

The ACO recommends that **additional information** is sought in relation to the above concerns, including in relation to the works to Scholarstown House, further consideration of the possible retention for reuse of Outbuilding D or using the footprint and architectural elements of the outbuildings in the proposal, overall height, scale and mass of 5-storey element reduced and overall design, form and treatment revised, and to address overshadowing and overbearing of the Protected Structure,

Density, Height and Mix

Residential Density

The proposed 76 no. apartments on an approx. 0.79ha site equates to a residential density of approx. 96 units per ha. The HQA states that the site area used to calculate residential density includes the letter of consent areas. This includes the public footpath along the eastern and northern boundaries of the site, which should not be included in the net developable area. **The applicant should be requested to advise the net developable area of the site and based on this, the proposed net residential density.** This would likely bring the proposed net residential density to over 100 units per ha.

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The site is located within a low-density suburban area with public transport in the immediate area limited to bus services that serve the city centre. The site is zoned RES and the requirement to make efficient use of underutilised RES land is noted.

Development proposals for increased building heights and densities are assessed against the South Dublin Building Heights and Density Guide. QDP8 Objective 1 requires that residential development of this size be accompanied by a Design Statement that provides a detailed analysis based on this Guide. The submitted Design Statement does not reference this guide.

QDP8 Objective 2 of the CDP states:

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.

The 'Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities' (Apartment Guidelines)(2020) provide some guidance on appropriate densities, listing different locations and the appropriate densities for large scale developments in those locations, as follows:

- Central and/or Accessible Urban Locations (suitable for small- to large- scale and higher density development)
- Intermediate Urban Locations (suitable for smaller-scale higher or medium-high density, will vary but broadly >45 dwellings per ha net)
- Peripheral and/or Less Accessible Urban Locations (suitable for limited, very small-scale, higher density development wholly of apartments or residential development of any scale with a minority of apartments at low-medium densities, low-medium density, will vary but broadly <45 dwellings per ha net).

The Planning Authority is of the opinion that the subject site does not fulfil the criteria for a central and/or accessible urban location. The Planning Authority assessed the amenities of the location, and the existing and proposed public transport links at the site have been assessed. The applicant states that the site is well served by bus services which travel into the city centre. Third party submitters have raised concerns on the accessibility of the site. Although the site is located in close proximity to bus routes to the city centre it is not well linked to other modes of public transport. The area fulfils the requirements of an intermediate urban location, suitable for densities of >45 dph.

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Given the site's location, public transport provision (existing and planned) and the characteristics of the site, it is recommended that the applicant revise the proposals to provide a development of a lower density in a new planning proposal. The site is zoned for residential, and the Planning Authority is supportive of a residential scheme at an appropriate density. Concerns have been raised elsewhere in this report in relation to the scale, height and mass of the proposed building. **A revised design to address these concerns will likely result in a reduction of units.**

Building Heights

The existing Protected Structure and outbuildings are one to two storeys in height. Adjoining development is one to two storeys. There is an existing four story apartment building to the north of the site. ABP Ref. TA06S.305878 results in buildings up to six storeys in height.

The proposed apartment building would be three to five storeys in height. The higher element of the proposal would be in the south-west part of the site, in proximity to the Protected Structure and southern-western boundary. The adjoining site to the south-west is a terraced buildings comprised of shops, childcare facility, takeaways and beauty clinic. However, this adjoining site is zoned RES. Any development on the subject site should not prejudice the future residential development of this adjoining site.

Higher heights than immediately surrounding development could be acceptable onsite, subject to appropriate design. The Planning Authority would have concerns about where on the site the increase in heights is proposed. The four storey element would be less than 1m from the south-western boundary, adjoining RES zoned lands. Windows to habitable rooms would be in close proximity to this boundary.

The approach to height should be reconsidered in relation to impact on residential amenity. The applicant should be requested to submit a revised design at this boundary, including providing an increased separation distance of the higher elements of the building from this boundary and improved boundary treatment, to help mitigate any overbearing impact. **This should be addressed by way of additional information.**

The three-storey element and separation distances from the northern and eastern boundaries are considered an appropriate response.

Unit Mix

The proposed unit mix of the 76 no. proposed apartments would be as follows:

- 1 bed 32 no. (42%)
- 2 bed (3 person) 1 no. (1%)
- 2 bed (4 person) 33 no. (43%)
- 3 bed 10 no. (13%)

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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 unit mix would include 13% as 3 bed units. The applicant has submitted a Statement of Housing Mix. This states that the proposed mix is appropriate at this location having regard to specific housing demand in the area, prevailing housing type within a 10-minute walk of the site and the most recent CSO population and housing data.

The report references the permitted development of 590 residential units to the north-east of the site, ABP Ref. TA06S.305878. This permitted development should be taken into consideration in the assessment of dwellings by number of rooms within 1km of the subject site. It is noted that this assessment is based on CSO 2016 census data. Further consideration should be given to permitted development in this assessment. **A revised statement should be submitted addressing this.**

The CDP states that unit mix should also provide for a statement demonstrating how the scheme has been designed for/and could be adapted in the future for older people/persons with a disability/or lifetime homes. The submitted Architectural Design Statement states that the units can be reconfigured to adapt to changing life cycles and personal needs. Apartments meet or exceed the minimum floorspace requirements.

Visual and Residential Amenity

General Layout

The existing Protected Structure would be redesigned to accommodate 2 no. apartments and a new apartment building would be constructed in the south and south-west of the site. The openness and landscaping of the site to the front of the Protected Structure and along Scholarstown Road are to be welcomed. The separation distances and scale of the apartment building in relation to this road and the eastern boundary are considered an appropriate response.

Own door apartments are proposed on the west side of the block, onto Orlagh Grove. These are to be welcomed to help open up the site. The apartments would be able to be accessed either directly off Orlagh Grove or within the building internally. The access off Orlagh Grove would be via the private amenity spaces for these apartments. This arrangement is acceptable, given that the private amenity spaces for Apartment Nos 0001-0004 exceed the minimum space requirements. Sufficient separation distance has been provided from Orlagh Grove to these ground floor apartments to allow for privacy.

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The proposed layout should be reconsidered in the south-west part of the site, to address the following: concerns raised by the Roads Department in relation to the vehicular access, consideration of the reuse of Outbuilding D or using the footprint and architectural elements of the outbuildings, and concerns in relation to the proposed apartment building in relation to impact on the Protected Structure and the adjoining site to the south-west. This is discussed further in this report.

Existing Residential Amenity

The nearest existing residential development is located to the west and north of the site on Orlagh Way, Orlagh Green and Scholarstown Road. The proposed apartment building would be setback approx. 21m (20m including balcony) to the closest house at Orlagh Way to the west. The building would also be setback approx. 22.5m (22m including balcony) from the closest house at Orlagh Green. These houses have their side elevations facing the site. The building would be well setback from the residential development to the north of the site, on Scholarstown Road.

It is also noted that the site adjoining the south-west of the subject site is zoned RES. **The applicant should be requested to reconsider the separation distances and design of the building in this part of the site.**

Amenity of Future Occupiers of Proposed New Building

Table 3.21 of the County Development Plan and the 2020 Apartment Guidelines set out minimum space standards for apartments. The applicant has submitted an Architectural Design Statement and Housing Quality Assessment. This details that the proposed apartments would meet or exceed the minimum floorspace requirements. The majority of the apartments (68%) would exceed the minimum standard by 10%.

It is not considered that Apartment Nos. 0007, 0111, 0215 and 0315 would have true dual aspect given the layout of this apartment type. However, with these units considered as single aspect, the proposed development would achieve a dual or more aspect ratio of 50%, 38 no. units of 76 no. It is also noted that the above listed apartments would exceed the minimum floorspace requirements. Apartment No. 0007's ground floor private amenity spaces would also exceed the minimum requirements. There would be no north facing, single aspect units included in the development.

Private amenity spaces would be provided in the form of either terraces or balconies. The ground floor terraces for Apartment Nos. 0008 and 0009 are not considered to be afforded sufficient privacy. An appropriate boundary and/or 'privacy strip' to these terraces should be provided to ensure privacy. **This should be addressed by way of additional information.**

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100sq.m of resident amenities and facilities are proposed onsite, including a reception, communal amenity rooms and parcel room. 73sq.m at ground floor and 23sq.m at first floor. The communal amenity rooms are designed as multi-purpose.

A Building Lifecycle Report has been submitted, as required by the 2020 Apartment Guidelines. This proposes a property management company to enter into a contract directly with the Owners' Management Company for the ongoing management of the development.

No analysis of the proposed development in relation to the Childcare Facilities Guidelines for Planning Authorities (2001) has been provided. **The applicant should be requested to address this by way of additional information.**

Amenity of Future Occupiers of Scholarstown House

The proposed 2 no. apartments in Scholarstown House would meet the minimum floorspace and dual aspect requirements of the CDP and 2020 Apartment Guidelines. The ground floor of the house would not meet the minimum floor to ceiling height requirement of 2.7m, however, SPPR5 of the 2020 Apartment Guidelines allows for discretion to be exercised for building refurbishment schemes. The proposed ground floor to ceiling height of 2.4m is considered acceptable given the building is a Protected Structure and is being refurbished for residential use as part of the overall development.

The proposed apartment building would be approx. 10.3m to 14.9m from Scholarstown House. This measurement excludes balconies. Screening should be provided where appropriate on balconies to mitigate overlooking. This can be secured by way of **condition**. These separation distances should not be reduced, especially in relation to height, as a result of the requested revisions to the proposal.

Sunlight and Daylight

A Daylight and Sunlight Assessment Report prepared by 3D Design Bureau has been submitted. This shows general compliance with the relevant standards, except for Scholarstown House. The submitted Report finds that the levels of daylight for Scholarstown House would not be sufficient to comply with BRE Guidelines in most cases. The rationale provided is that given it is a Protected Structure, no increase in glazing would be possible. The report states that the layout would be rearranged so that habitable spaces are to the south, which is considered to improve the current conditions. The private gardens would also not meet BRE Guidelines.

The ACO has raised concerns with the blocking up of original windows in Scholarstown House and requests that alternatives be considered so that these can be retained. The ACO also raises concerns with the overshadowing of the Protected Structure by the proposed apartment. **Any revised design to Scholarstown House should be assessed in terms of daylight/sunlight accessibility. The proposed apartment building may need to be revised in relation to impact on Scholarstown House and its proposed gardens.**

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In relation to the proposed open space on site, 66% of this area allocated as communal/public open space would be capable of receiving 2 hours of sunlight on March 21st. This includes the play area.

Design and Visual Impact

A Landscape and Visual Impact Assessment has been submitted. The proposed building would be well setback from Scholarstown Road. An active frontage would be provided along Orlagh Grove. The most significant frontage and visual impact to the surrounding area would be in the south-west corner of the site, where the new vehicular access is proposed.

The proposed variability in building and roof form is to be welcomed. This helps break up the massing of the building. However, the ACO has raised concerns in relation to the impact of the mass, scale, height and design of the building in relation to the Protected Structure. The design is otherwise considered to be of a high quality.

The Planning Authority would have concerns with the concentration of height at the south-west corner of the site. While the adjoining site is currently used for local shops etc. it is zoned RES. The submitted elevational drawings and verified views show that a relatively blank façade of the development would be located in close proximity to the south-west boundary. This is not acceptable in terms of visual and residential amenity.

The proposed external finishes would be selected brick finishes and for the top floor metal cladding. The materials and finishes are acceptable in terms of durability. The ACO has requested that the elevational treatment and materiality are reviewed in the context of the Protected Structure and the existing outbuildings within its curtilage.

Open Space

The proposed communal open space is stated at 487sq.m, which exceeds the minimum requirements of the CDP and 2020 Apartment Guidelines. There does not appear to be a clear physical distinction between communal and public open space. Total communal and public open space provided would be 2,057sq.m.

In the absence of a supporting Development Contribution Scheme and having regard to Section 8.7.4 Delivery of Public Open Space and Contributions in Lieu and COS5 Objective 5-7, the Planning Authority refrains from implementing CDP provisions requiring 2.4ha of public open space per 1000 population. The Planning Authority will continue to implement its policy provisions in relation to minimum on-site public open space provision ranging from 10-20% depending on land use zoning, as per COS5 Objective 4 and in accordance with details set out in Table 8.2.

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The overall standard of 2,4ha per 1,000 people would equate to 3,216sq.m (based on 134 persons as defined under COS5 Objective 6). The minimum 10% of the site area requirement would equate to 790sq.m. The amount of public open space proposed is 1,570sq.m or 19.8% of the site. The site area includes the public footpaths to the north and east. However, even with this area discounted, the public open space provision exceeds the minimum 10% requirement. The proposed open space provides for a range of uses, permeability and an appropriate layout.

Given the above, it is considered that the proposed development would be compliant in terms of communal and public open space provision.

Green Infrastructure, Ecology and Landscaping

The subject site is located in proximity to a Primary Green Infrastructure Corridor as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. A Landscape Design Statement and landscape drawings have been submitted.

A Bat Fauna Impact Assessment prepared by Altemar Ltd. has been submitted. Surveys conducted in September 2022. Several mature trees identified as bat roosting potential. Mitigation measures include sensitive lighting, post construction bat surveys and light spill assessment and a pre-construction bat roosting inspection. These measures should be secured by way of **condition** in the event of a grant of permission.

Given the existing trees and vegetation onsite and the number proposed for removal, the applicant should be requested to assess the full ecological impact of the proposed development as appropriate. This might include a breeding bird survey and other appropriate assessments.

This should be addressed by way of additional information.

The Public Realm Section have reviewed the proposed development and make the following comments:

Arboricultural Impact

Of the 96 number trees surveyed within the development site 75 will be removed with only 16 being retained and only 49 replacement trees proposed this represents a net loss of tree cover of -31. This is not acceptable to the Public Realm Section and is contract to the following policies and objectives in the CDP 2022-2028:

- NCBH11 Objective 3: To protect and retain existing trees, hedgerows, and woodlands which are of amenity and / or biodiversity and / or carbon sequestration value and / or contribute to landscape character and ensure that proper provision is made for their protection and management taking into account Living with Trees: South Dublin County Council's Tree Management Policy (2015-2020) or any superseding document and to ensure that where retention is not possible that a high value biodiversity provision is secured as part of the phasing of any development to protect the amenity of the area.*

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- *GI5 Objective 6: To provide more tree cover across the county, in particular to areas that are lacking trees, with an emphasis on planting native Irish trees as appropriate*
Given the above the applicant is therefore requested to review the extent of tree removals proposed to ensure that a much higher number can be retained if possible. Failing an increase in existing trees to be retained, then the applicant is required to significantly increase the new proposed tree planting as part of the development proposals in order to endure there is a positive net gain in terms of tree cover. As a minimum existing trees lost should be replaced on a 3:1 ratio basis.

Green Infrastructure and Green Space Factor

The applicant has provided a suitable GI Plan and has achieved the relevant GSF for the landscape use zoning objective for the subject site.

SUDS

The applicant is requested to include SuDS tree pits as part of the proposed SUDS scheme and submit details of same:

- show what attenuation capacity is provided by such SuDS.*
- Tree pits incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground.*
- The applicant is requested to refer to the 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.*

The Public Realm Section have no objection subject to conditions including the implementation of the landscape masterplan, retention of a landscape architect, landscape management, SUDS, additional tree planting, play provision, tree protection, and tree bond.

Additional information should be sought in relation to surface water and additional tree planting.

Access and Parking

The existing vehicular accesses would be retained as pedestrian and/or cyclist accesses. A new pedestrian, vehicular and cyclist access would be provided from Orlagh Grove, in the south-west corner of the site. The access road would traverse the southern and eastern boundaries of the site with undercroft and surface car parking provided.

183 no. bicycle parking spaces are proposed. Internal access should be provided to the bicycle store at ground floor within the proposed apartment building. It is not clear where all the external bicycle parking spaces are, in order to meet the 183 no. total stated. **These items should be addressed by way of additional information.**

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The Roads Department have reviewed the proposed development and request the following **additional information**:

Description

Construction of 1 two bed and 1 three bed units. 74 apartment units comprised of 32 one bed apartments, 33 two bed apartments, and 9 three bed apartments. 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

Access & Roads Layout:

The proximity of access to the Scholarstown Road roundabout may present risks. There is a raised pedestrian crossing at the access. To achieve the sight lines when exiting the development motorists will need to stop closer to the intended stop line, this will mean stopping on the pedestrian crossing. There is no elevation detailing the access location, a detailed visibility splay is required to ascertain if boundary treatment, street trees etc will limit forward visibility from the development.

The road safety audit notes that on street parking on one side of Orlagh Grove if allowed to continue will obstruct visibility to and from the development and compromise safe unobstructed two-way movement on the road.

The internal road layout has parallel parking and a low radius bends, the width of the road is not apparent, a reversing space of 6.0m is required behind the parking spaces. The visibility along this road is limited due to parked cars and boundary treatments, a swept path analysis should be provided detailing traffic movements and parking accessibility. An autotrack of the fire tender and refuse vehicles has been provided and are adequate.

The proximity to the access point of the neighbouring retail units could cause visibility issues when used simultaneously leading to traffic hazard.

Because of the nature of the neighbouring retail units, they would have a high frequency traffic use, resulting in an increased risk. The applicant should consider moving their access location away from the other access or provide some mitigation to reduce the frequency of use of the other access.

Permeability:

There is a lack of linkage between the proposed development and existing cycling infrastructure on the Scholarstown Road. The applicant should provide a layout detailing the pedestrian and cycle routes within the development. Ensuring the footpaths are adequate to allow ease of use, the minimum footpath widths should be 2.0m. the existing vehicular access locations will be removed and replaced by pedestrian only access locations.

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Car Parking:

The total number of parking spaces for the development is 40no. From the county development plan the maximum number of parking spaces for a development such as this would be

1 two bed	=	1 spaces
1 three bed	=	1.5 spaces
32 one bed apartments	=	32 x 1 = 33
33 two bed apartments	=	33 x 1.25 = 41
9 three bed apartments	=	9 x 1.5 = 14

The maximum allowable is 91no parking spaces.

		Parking Spaces per Unit	Total Spaces required
Input no. of 1 beds	33	0.61	20
Input no. of 2 beds	33	0.81	27
Input no. of 3 beds	10	1.07	11
Total Residential Units	76		
% Build to Rent	100		
% Build to Sell	0		0
Build to Rent			49
		Total Spaces Residential	49
		Average Parking Ratio	0.64

This development would be considered in zone 1 for parking as the nearby public transport is not high frequency nor multidirectional, and the nearest LUAS stop is over 5km away (the transport assessment notes the development is in close proximity). A ratio of 0.64 has been applied to other developments in the area and would be considered appropriate for this, therefore the roads department consider the parking rate of 40no. a little low and would request additional parking closer to 49no. spaces.

Bicycle Parking:

A 164no. of bicycle parking stands are proposed, the minimum required is 130no. long stay and 34 short stay. The bicycle parking is sufficient.

Taking in Charge:

There are no areas for TIC. Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department. All works shall be to SDCC TIC standard for works in the public realm.

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Traffic assessment.

A traffic and transport assessment has been submitted detailing the traffic movements from the development. A traffic survey was conducted on one day in May 2022 on the nearby roundabout at Scholarstown Road. The survey concluded that the roundabout is operating within capacity, with the maximum degree of saturation is 65.4% in the AM peak.

A TRICS analysis of the parking allowance of 38no. spaces (this does not correspond with the layout plan of 40no. spaces) states that a maximum of 19no cars will leave the development in the AM and 16 will arrive in the PM.

The analysis of the future traffic at the proposed access junction of the development results in a degree of saturation of 9.1% in 2024 – 24.8% in 2029 (85% is considered unacceptable) this is to be expected as the number of parking spaces in the development is 40no.

The Scholarstown roundabout junction futured traffic analysis is stated in RFC although the graphs describe the traffic results in degree of saturation. The maximum is 76.7% in the design year 2039 on the R113 arm of the roundabout. The applicant has stated that the recent new developments in the area have been taken in to account during the analysis.

Roads recommend that additional information be requested from the applicant:

- 1. The applicant shall submit a revised layout of not less than 1:200 scale showing the location and number of parking spaces to be provided at the development. Please refer to Table 12.25: Maximum Parking Rates (Residential) – from the SDCC County Development Plan 2022-2028.*
- 2. The applicant is requested to submit a revised layout not less than 1:200 scale showing the pedestrian routes within the development. All footpaths shall be a minimum of 2.0m wide.*
- 3. The applicant is requested to submit a revised layout not less than 1:200 scale of the elevation of the access location detailing the boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
- 4. The applicant shall submit details of discussions with Public Realm in resolving Tree conflict with access point.*
- 5. The applicant shall submit revised layout of not less than 1:200 scale a swept path analysis showing how the cars can safely access and egress the parking spaces for the development.*
- 6. The applicant shall submit accurate plans demonstrating the provision of a visibility splay with 2.4 meters set back at a 1.05 meter height from ground level and 49 meters sight lines in both directions from the entrance. Sight lines 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). The visibility shall consider the proximity of the vehicle access to the south.*
- 7. The applicant shall submit revised layout of not less than 1:200 scale detailing a cycle route from the proposed access to the existing cycle infrastructure on the Scholarstown Road.*

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The report from the Roads Department is noted. **Additional information should be requested.**

Infrastructure and Environmental Services

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

1.1 Proposed surface water attenuation calculations are unclear. Submit a report showing surface water attenuation calculation in table format. Show the site area in m², and areas of different surface types in m². Examples of surface types are buildings, green roofs, roads, pathways, permeable paving, green areas and their respective run off coefficients. Show in a report the SAAR (Standard annual Average Rainfall) value and green field run off rate in litres/second/hectare for the proposed development site. Use Met Eireann rainfall figures for the site when calculating the surface water attenuation required.

1.2 Submit a drawing showing the capacity in m³ of surface water attenuation provided in m³ of each SuDS (Sustainable Drainage System) system

SUDS include green roofs, scales to the west, retention basins/winter gardens to the north and permeable paving for the length of the access road.

Irish Water have reviewed the proposed development and have no objection subject to a condition that prior to the commencement of development the applicant/developer enters into connection agreement(s) regarding water supply and wastewater. This **condition** should be attached in the event of a grant of permission.

Waste Management

The applicant has submitted a Construction and Environmental Management Plan and an Operational Waste Management Plan. SDCC's Waste Management Department have reviewed the proposed development and recommend a condition is included for the submission of a bespoke Construction and Demolition Resource Waste Management Plan, including demonstration of proposals to adhere to best practice and protocols. This should be **conditioned** in the event of a grant of permission.

Environmental Health

The H.S.E. Environmental Health Officer has reviewed the proposed development and have no objection subject to conditions restricting noise and air pollution during the construction phase. These **conditions** should be attached in the event of a grant of permission.

Environmental Impact Assessment

In their Planning Statement, the applicant concludes that the proposed development does not trigger a mandatory EIAR and a sub-threshold EIAR is assessed as not required in this instance.

Comhairle Chontae Atha Cliath Theas

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

Screening for Appropriate Assessment

An Appropriate Assessment Screening Report has been submitted with the application. This report concludes that a Stage 2 NIS is not required for the proposed development.

Table 1: Description of the project and site characteristics

Planning File Reference	SD22A/0401
Brief description of the project	76 no. residential units
Brief description of site characteristics	Irregular shaped site with slight change in ground levels
Application accompanied by a NIS Y/N	N

Table 2: Identification of European Sites which may be impacted by the project

European Site	List of Qualifying Interest/ Special Conservation Interest	Distance from proposed development (m/km) (approx.)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Glenasmole Valley SAC	3 Qualifying Interests CO001209.pdf (npws.ie)	4.0km	No	No
Wicklow Mountains SAC	13 Qualifying Interests ConservationObjectives.rdl (npws.ie)	4.7km	No	No
Wicklow Mountains SPA	2 Qualifying Interests - Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103] CO004040.pdf (npws.ie)	4.6km	No	No
South Dublin Bay SAC	4 Qualifying Interests ConservationObjectives.rdl (npws.ie)	8.5km	Indirect hydrological pathway via proposed foul and surface water networks.	Yes

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South Dublin Bay and River Tolka Estuary SPA	14 Qualifying Interests ConservationObjectives.rdl (npws.ie)	8.5km	Indirect hydrological pathway via proposed foul and surface water networks.	Yes
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Table 3: Assessment of Likely Significant Effects

Identify all potential direct and indirect impacts (alone or in combination) that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project:	
Likely Impacts	Possible Significance of Impacts (duration, magnitude etc.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	<p>During the construction stage there is the potential for surface water run-off. However, the hydrological connection to the Dublin Bay sites is indirect and weak. The construction phase would not result in significant environmental impacts that could affect European Sites within the wider catchment area.</p>
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing • contaminant or sediment • Lighting disturbance 	<p>Foul and surface water would ultimately lead to the Dublin Bay sites. Surface water would firstly be managed onsite as much as possible. The hydrological connections are indirect and weak, and the separation distance is significant, such that there is no real likelihood of any significant effects on European Sites in the wider catchment area.</p>

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<ul style="list-style-type: none"> • Noise/vibration • Changes to water/groundwater due to • drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures • (e.g., collision risks) • Potential for accidents or incidents 	
In-combination/Other	All extant developments are similarly served by urban drainage systems and the WWTP and have been screened out for appropriate assessment. No likely significant in-combination effects are identified.
<p>Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</p>	
<p>Yes No X</p>	

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Table 4: Screening Determination Statement

Assessment of significance of effects:		
Describe how the proposed development (alone or in-combination) is/is <u>not likely</u> to have <u>significant</u> effects on European site(s) in view of its conservation objectives.		
<p>On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:</p> <ul style="list-style-type: none"> • the nature and scale of the proposed development, • the intervening land uses and distance from European sites, • the lack of direct connections with regard to the Source-Pathway-Receptor model, <p>it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives. An appropriate assessment is not, therefore, required.</p>		
Conclusion:		
	Indicate (X)	Recommendation
It is clear that there is no likelihood of significant effects on a European site	X	The proposal can be screened out. Appropriate assessment not required.
It is uncertain whether the proposal will have a significant effect on a European site		Request further information to complete screening Request NIS Refuse permission
Significant effects are likely		Request NIS Refuse permission
Completed by	COS	
Date	13/12/2022	

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Conclusion

While the proposed development is acceptable in principle, **additional information** is required in relation to:

- Land use zoning
- Architectural heritage
- Residential density and unit mix
- Impact on south-west residentially zoned lands
- Standard of accommodation
- Ecology and trees
- Access, parking and roads items
- Surface water

Recommendation

Request Additional Information.

Additional Information

Additional Information was requested on the 15th of December 2022.

Additional Information was received on the 8th of May 2023 (not deemed significant).

Additional Information Consultations

Water Services	No objection subject to conditions.
Irish Water	No objection subject to conditions.
Roads Department	Clarification of additional information requested.
Public Realm	No objection subject to conditions.
Architectural Conservation Officer	No objection subject to conditions.
Architects Department	No report received at the time of writing this report.
Public Lighting	No report received at the time of writing this report.
Waste Management	No report received at the time of writing this report.
Department of Housing, Local Government & Heritage	No report received at the time of writing this report.
H.S.E. Environmental Health Officer	No report received at the time of writing this report.
National Transport Authority	No report received at the time of writing this report.
An Chomhairle Ealaion	No report received at the time of writing this report.
An Taisce	No report received at the time of writing this report.
Faite Ireland	No report received at the time of writing this report.
Heritage Council	No report received at the time of writing this report.

Additional Information Assessment

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Item 1 Requested

The applicant is requested to submit additional information to clarify the land use zoning of the site. The existing and proposed site layouts and boundaries should be overlaid with the SDCC County Development Plan 2022-2028 zoning maps.

Applicant's Response:

The site is primarily zoned RES with a silver of land to the east zoned OS. The OS zoned land does not form part of the residential element of the development.

Assessment:

Car parking and landscaping are proposed along the southern and eastern boundaries and overlap with the OS zoning. However, the site already included these lands and would not encroach on a public park/open space. It is therefore considered that this item has been satisfactorily addressed.

Item 2 Requested

The applicant is requested to submit additional information addressing the following concerns of SDCC's Architectural Conservation Officer:

(a) The majority of the work appear to have modest/minimal impacts. However, there are some areas of alterations and revisions to the original layout and insertion of additional services where negative impacts are likely.

The following items need to be addressed: -

- It is considered that where original windows are proposed to be blocked up alternatives should be considered, or alternative designs considered in order to provide a solution and the retention.*
- Removal of original architectural features is not acceptable and where this has been indicated, mitigation measures or alternative floor plans should be provided in order to negate the removal of architectural features.*
- Where additional services are proposed details shall be provided on how services i.e., bathrooms and w/c will be integrated and how these will be ventilated etc.*
- The Conservation Methodology provides details on the architectural elements for repair which is very helpful in directing the works in accordance with best conservation principles and practice. There are no details included on any proposed energy efficiency works to the protected structure. Clarification should be sought with regard to any such works.*

It is considered that in addition to the Conservation Methodology a Schedule of Works should be provided for each floor in order to specify all the works to include; interventions/revisions, conservation repairs and routine maintenance. A Schedule of Works and Method statement for the specific elements should also include how the items listed above will be dealt with as part of the entire scope of works to the protected structure.

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(b) On assessing the existing Outbuildings and details provided, it is felt that the Building D should be re-examined with regard to its retention and adaptive reuse as part of the overall development. It is considered that the retention of an original early 19th century outbuilding would provide additional architectural interest and character to the site and will support the association with Scholarstown House and the overall setting of the original site.

The original outbuildings should be considered with regard to possible retention for reuse or using the footprint and architectural elements of the outbuildings in the design of the new build allowing a sensitive building type and visual link and association with the Protected Structure.

(c) Although separation has been provided in providing limited but designed setting to the Protected Structure, it is considered that by virtue of the height of the proposed apartments the Protected Structure is completely overshadowed. The mass and scale of the apartment block which completely surround the Protected Structure to the rear as a backdrop and to the side, is overbearing and causes negative visual impacts. In order to less the visual impact the overall height, scale and mass of the 5-storey element needs to be reduced and overall design revised.

(d) It is considered that the overall design, mass and height should be reconsidered and revised in order to find a greater balance between the existing and new development. It is noted that the height has been reduced where the new block forms a backdrop to the protected structure, however, not enough has been done in relation to the overall design to the adjoining block to provide a building type that doesn't completely overshadow and dominate the entire site.

(e) As previously advised during pre-planning discussions the block form needs to be broken up in different heights and different treatments with some separation between to provide separate block forms.

The outbuildings should be considered with regard to adaptive reuse and reflecting the outbuildings in the design ethos of one or two blocks or using the original footprint to provide additional new building where the existing corrugated shed is located. The elevational treatment and materiality should reflect a more rural and agricultural style of building type that would connect visually to the existing protected structure and provide high quality design and character to the site.

Applicant's Response:

Amendments made to ensure that as much of the original fabric of the building is retained.

Reconfiguration of floor plans.

The existing outbuildings have been extensively altered over the years, such that there is little merit in retaining these. Revised design to ensure that elements of the outbuildings are incorporated into the fabric of the new building. Use of corrugated sheeting has been incorporated into the overall design.

Apartment building redesigned and materials revised to reduce massing

Reduce massing to rear-west of Scholarstown house including a further setback of the fourth floor level and stepping back of the third floor element.

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Reduced massing to south of Scholarstown house including further set back of the fourth floor element at this location and the removal of the bay windows on the third floor level
Alternative faced material to reflect historic use as a farm.
Fourth level decreased in size/extent

Assessment:

SDCC's Architectural Conservation Officer has reviewed the information submitted and states the following:

(a) A Further Information response has been submitted for all items under Item 2.

In relation to Item 2 (a) it states that amendments have been made to the proposed development in order to ensure that as much of the original fabric of the protected structure is retained. The revisions made to the design include the configuration of the floor plans to allow for the retention of the original window openings in the rear return (3-storey extension) which allows light to penetrate into the proposed stairwell. Details have been provided with regard to the refurbishment and upgrading of the existing windows along with details of other energy efficiency measures.

A Schedule of Works for the installation of services and interventions has also been submitted as prepared by the Conservation Consultant (Appendix 1). A Method Statement and Schedule of Works has also been prepared on a room-by-room basis detailing the proposed interventions and the impacts of same. It is considered that the detail provided is acceptable and allows a full and proper assessment of the proposed works and interventions to Scholarstown House, a Protected Structure.

(b) By way of context to the AI Request 2 (b) the Councils Architectural Conservation Officer had advised at pre-planning that the original outbuildings should be considered with regard to possible retention for reuse or using the footprint and architectural elements of the outbuildings in the design of the new build allowing a sensitive building type and link with the Main House. Neither option was presented as part of the initial planning application, so the applicants were requested to provide such consideration or justification for removal of the existing outbuildings. In response it is stated that "the design team are still of the strong opinion that the existing outbuildings are of no architectural merit or significance" but that the selected use of corrugated sheeting will have a positive impact on the setting of the protected structure and reflect the former agricultural use of the site. Further consideration and amendments proposed for the new build at this location are noted.

(c) (d) In response to Items 2 (c) and (d), a response has been prepared by the Project Architects detailing that the proposed apartment building has been re-designed to ensure that any visual impact on the setting of the Protected Structure is reduced. The materials have been updated to further reduce the massing of the building. The changes made to the overall design of the apartment block includes the following revisions;

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In summary, the primary design changes as a result of the RFI are as follows:

- Existing windows to Scholarstown House rear extension maintained.*
- Reduced massing to rear/west of Scholarstown House via removal of L04 Fourth floor element in this area and set back introduced to L03 Third Floor with alternative façade material (metal cladding).*
- Reduced massing to south of Scholarstown House via removal/reduction of L04 Fourth floor elements in this area and removal of bay windows to L03 Third Floor. Alternative material (metal cladding) to L03 Third Floor.*
- Additional privacy to private amenity spaces to Scholarstown House via landscape hedging and also opaque balustrades to balconies of adjoining new build. Modification to balcony positions.*
- Alternative façade material (metal cladding) to recessed element which visually breaks up the building massing when viewed from northeast (please refer to 3D View – Northeast). Details of the revised design were submitted on foot of the RFI to the Councils Architectural Conservation Officer for consideration and the undersigned felt that the revisions would lessen the overall visual impact and provide for an improved setting. It was also felt that the use of different finishes and materials as suggested would support a variation of design and overall visual impact.*

The massing of the proposed apartment building has been reduced and there are substantive changes to elevation design and materiality. In particular, it is proposed to utilise corrugated sheeting as cladding on elements of the new build to evoke the memory of the twentieth-century outbuildings that are to be demolished. The massing of new build elements will improve the backdrop and setting for Scholarstown House as the visual impact is somewhat reduced.

The recess of the block form to the junction of the 3-storey block and 4-storey block in combination with a change of façade material, supports a visual break offering the view of separate block forms. The location of this recess and materiality change also aligns with the front elevation of the Protected Structure which provides alignment and respect of the existing buildings within the central composition. The reduction in the overall massing of the proposed apartment buildings is welcomed, however given the density proposed on the site within the curtilage of a Protected Structure the overall development has to deliver an exemplar design in form and materiality.

(e) In response to Item 2(e) a number of design changes have been presented in order to break up the built form of the proposed apartment block. The changes include a variety of material finishes to provide different façade elements which offers the visual connection from new to old. The design element and finish to reflect the corrugated iron cladding of the old agricultural buildings in order to create a design response that reflects the former use.

As part of the response to RFI a report from the Architects has been submitted detailing the design response which includes elevation treatment as part of the materiality revisions in order to lessen the overall visual impact within the site.

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It is stated that "the Form of the new building evolves in response to the existing setting, location, orientation and form/pitched roof of Scholarstown House while also creating a reference to the pitched roofs of the vernacular outbuildings."

Conclusion

It is considered that the response to the above Items 2a-2e has addressed the concerns raised as part of the initial assessment for the proposed development. It is felt that the revised amendments and reconfiguration to the floor plan of Scholarstown House, Protected Structure RPS Ref. 322 allows for a more minimal approach and retention of original features.

The new development within the curtilage has been revised and due to amended design elements and reduction in mass, the overall visual impact has been reduced particularly in relation to the new block to the rear of the Protected Structure which provides the backdrop to the existing building and ultimately provides a new element and setting. The amended design and revisions allow for more considered elevation treatments.

It is felt that more could be achieved in relation to the materiality in providing an exemplar and high quality development.

The contemporary use of more traditional materials as proposed in the use of metal cladding to reflect the corrugated iron of the outbuildings is a welcomed addition. The undersigned would welcome further exploration in relation to the final choice for materials and finishes perhaps looking at how different treatment and design elements could be introduced to reinforce best practice placemaking principles by re-imagining the use of traditional materials through contemporary design.

The ACO states that the proposed development is acceptable subject to conditions including (in summary) that the development is carried out in accordance with the details and particulars provided in the Method Statement and Schedule of Works, suitably qualified expert continues to be engaged, safety measures, and a revised schedule and plans of materials and finishes.

The above **conditions** should be attached in the event of a grant of permission.

Item 3 Requested

a) The submitted Housing Quality Assessment states that the site area used to calculate residential density includes the letter of consent areas. This includes the public footpath along the eastern and northern boundaries of the site, which should not be included in the net developable area. The applicant is requested to advise the net developable area of the site and based on this, the proposed net residential density.

(b) The revised proposed development submitted in response to other additional information items herein may lower the net residential density. Additional consideration of the proposals with reference to Appendix 10 Building Height and Density Guide of the County Development Plan is warranted.

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Applicant's Response:

Revised net density is 102 units per ha.

No. of units reduced to 72 no. apartments. Reduction of 4 no. units.

Assessment:

The reduction in no. of units and revised residential density are noted. The proposed development is considered to be of high quality design, has responded appropriately to the Protected Structure and would have an acceptable impact on visual amenity and adjoining sites. Having regard to the design of the proposed development, in that it meets or exceeds standards, provides a high quality design and open space, and response in relation to the Protected Structure, it is considered that the additional height and density is acceptable in this case. It is therefore considered that this item has been satisfactorily addressed.

Item 4 Requested

The submitted Statement of Housing Mix references the permitted development of 590 residential units to the north-east of the site, ABP Ref. TA06S.305878. This permitted development should be taken into consideration in the assessment of dwellings by number of rooms within 1km of the subject site. It is noted that this assessment is based on CSO 2016 census data. Further consideration should be given to permitted development in this assessment. A revised statement should be submitted addressing this.

Applicant's Response:

Statement of housing mix has been updated to include permitted development within the vicinity of the site and updated data.

The proposed housing mix of the proposed 72 no. apartments would be:

- 30 no. 1 bed (41.7%)
- 1 no. 2 bed/3 person (1.4%)
- 31 no. 2 bed/4 person (43.0%)
- 10 no. 3 bed (13.9%)

Assessment:

Given the housing demand in the area, prevailing housing type within a 10-minute walk of the site and the most recent CSO population and housing data, the proposed housing mix is considered to be acceptable. It is therefore considered that this item has been satisfactorily addressed.

Item 5 Requested

The applicant is requested to submit a revised proposed development addressing the following:
(a) The approach to height should be reconsidered in relation to impact on the Protected Structure and residential amenity. The Planning Authority would have concerns about where within the site, taller elements are proposed. The four storey element would be less than 1m from the south-western boundary, adjoining RES zoned lands.

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Windows to habitable rooms would be in close proximity to this boundary. The applicant is requested to submit a revised design at this boundary, including providing an increased separation distance of the higher elements of the building from this boundary and improved boundary treatment, to help mitigate any overbearing impact.

(b) The ground floor terraces for Apartment Nos. 0008 and 0009 are not considered to be afforded sufficient privacy. An appropriate boundary and/or 'privacy strip' to these terraces should be provided to ensure privacy.

(c) No analysis of the proposed development in relation to the Childcare Facilities Guidelines for Planning Authorities (2001) has been provided.

(d) Any revised design to Scholarstown House should be assessed in terms of daylight/sunlight accessibility. The proposed apartment building may need to be revised in relation to sunlight/daylight impact on Scholarstown House and its proposed gardens.

Applicant's Response:

(a) Separation distance increased from the south-western boundary to a min of 4m at second and third floor levels. Brick detail and opaque windows.

(b) Privacy strip provided to the south facing terrace of units 0008 and 0009 along the boundary with the adjoining footpath and also dividing the private open space of each of the two units. Opaque 1.5m glass barrier to front.

(c) Childcare Demand Assessment submitted.

(d) Revised Daylight/Sunlight Assessment submitted. Scholarstown House would not meet the BRE Guidelines in its existing state.

Assessment:

(a) The reduction in massing on the south-western boundary is welcomed. The applicant has submitted a potential future plan for the adjoining site to the south-west.

Opaque glazing is proposed to the living/kitchen/dining rooms of Apartment Nos. 0206, 0207, 0306 and 0307 at the second and third floor levels. This is not acceptable for the amenity of the future occupiers of these apartments. These apartments should be reconfigured so that the opaque windows on the southern elevation are to non-habitable rooms only (i.e., bathrooms). A redesign and reconfiguration of Apartment Nos. 0206, 0207, 0306 and 0307 can be agreed by way of **condition**.

The amendments have resulted in changes to the proposed development in relation to dual or more aspect ratio. The revised proposed dual or more aspect ratio is 53%, which is acceptable. It is however noted that 3 no. apartments are considered to be single aspect, north facing. Notwithstanding this, given site constraints, the overall design and the fact that these 3 no. apartments exceed minimum floorspace standards, they are considered to be acceptable, in this instance.

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Where glazed balustrades are proposed on balconies and terraces, consideration should be given to using metal railings in the interest of visual amenity. Screening should be provided in certain areas to mitigate overlooking of the private amenity spaces for the apartments in Scholarstown House. This can be addressed by **condition**.

(b) Inadequate space has been provided for a privacy strip/planting between the terraces for Apartment Nos. 0008 and 0009 and the footpath. Opaque 1.5m high glass barriers to the front of these terraces are not considered an appropriate measure and could negatively impact the amenity of future occupiers. These apartments should be moved and/or reduced in size (and possibly the apartments above) to provide for a larger privacy strip along the front (south-east) of the terraces. Sufficient space should be provided for planting. This can be agreed by **condition**.

(c) The proposed development would provide for 72 no. apartments, of which 41.7% would be 1 bed. Based on this and the assessment submitted it is not considered that the proposed development should be required to provide a childcare facility.

(d) The submitted Daylight and Sunlight Assessment Report shows that most of the spaces in Scholarstown House would not meet the BRE Guidelines in its existing state. The proposed reconfiguration to provide 2 no. apartments would also not fully meet the BRE Guidelines, particularly within the single aspect rooms facing the proposed apartment building. The proposed private amenity spaces in the form of gardens would be compliant with BRE Guidelines.

The Daylight and Sunlight Assessment Report advises that while increasing glazing is not feasible, given constraints in conserving the existing structure of Scholarstown House, the internal rearrangement of internal spaces has shown daylight improvements in certain instances. SDCC's ACO has advised that adding glazing to the Protected Structure would fundamentally affect its character.

Given that: the existing structure does not meet BRE Guidelines; the proposal would result in some improvements to spaces in terms of daylight; the proposal involves the positive reuse of a Protected Structure; and the proposed apartments are compliant in relation to standards such as minimum floorspaces and dual aspect, the proposed apartments are considered to be acceptable in terms of daylight/sunlight.

It is therefore considered that this item has been satisfactorily addressed.

Item 6 Requested

(a) Given the extent of existing trees and vegetation onsite and the number proposed for removal, the applicant is requested to assess the full ecological impact assessment of the proposed development as appropriate. This might include a breeding bird survey and other assessments.

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(b) Additional tree planting should be provided as part of the landscape proposals in order to ensure that there is a positive net gain in terms of new tree proposed compared to those being removed. As a minimum existing tree lost should be replaced on a 3:1 ratio basis. Full details of all proposed tree planting should be provided on a detailed planting plan. This planting plan will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period.

Applicant's Response:

Ecological Impact Assessment submitted. Concludes that the mitigation proposed satisfactorily addresses the mitigation of potential effects on the terrestrial, mammalian, avian and aquatic sensitive receptors. The conclusion also states that no significant effects on biodiversity are likely. Residual effects on biodiversity are considered to be low adverse/site/negative impact/not significant/short term.

Breeding bird survey has now commenced to coincide with the appropriate season for such a survey.

This survey can be provided by way of planning condition. Based on the site walkovers undertaken to date by the project Ecologist, nothing has been identified which would preclude a grant of planning permission.

Revised Landscape Masterplan submitted, indicates the proposed tree quantities. Given the ratio of tree planting required to overcome the removal of trees to make way for the proposed development, there is a shortfall of the planting of 94 no. trees. No policy requirement for this compensatory tree planting in CDP. Willing to accept a condition outlining that further engagement to agree on the number of trees and planting locations of such compensatory tree planting.

Assessment:

The Public Realm Section have reviewed the information submitted and state the following:

Arboricultural Impact

Of the 96 number trees surveyed within the development site 75 will be removed with only 16 being retained and only 49 replacement trees proposed this represents a net loss of tree cover of -31. This is not acceptable to the Public Realm Section and is contract to the following policies and objectives in the CDP 2022-2028:

- *NCBH11 Objective 3: To protect and retain existing trees, hedgerows, and woodlands which are of amenity and / or biodiversity and / or carbon sequestration value and / or contribute to landscape character and ensure that proper provision is made for their protection and management taking into account Living with Trees: South Dublin County Council's Tree Management Policy (2015-2020) or any superseding document and to ensure that where retention is not possible that a high value biodiversity provision is secured as part of the phasing of any development to protect the amenity of the area.*

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- *GI5 Objective 6: To provide more tree cover across the county, in particular to areas that are lacking trees, with an emphasis on planting native Irish trees as appropriate. Given the above the applicant is therefore requested to review the extent of tree removals proposed to ensure that a much higher number can be retained if possible. Failing an increase in existing trees to be retained, then the applicant is required to significantly increase the new proposed tree planting as part of the development proposals in order to endure there is a positive net gain in terms of tree cover. As a minimum existing tree lost should be replaced on a 3:1 ratio basis.*

Green Infrastructure and Green Space Factor

The applicant has provided a suitable GI Plan and has achieved the relevant GSF for the landscape use zoning objective for the subject site.

SUDS

The submitted SUDS scheme is acceptable to the public realm section however the applicant is requested to provide details of the future management and maintenance requirements of the SUDS scheme proposed.

Play

Proposed play items are too focused on balancing items. Proposed play area to be revised to include for imaginative play, constructive play and more active play i.e., climbing, swinging, bouncing spinning etc. Play area to be universally accessible. The applicant is to provide the following additional play items as part of the play proposals for the development:

- (i) Wheelchair accessible roundabout or trampoline*
- (ii) A flat swing, bucket swing and two baby swings can be provided as part of a combination swing set.*
- (iii) Dutch Disk for older children*
- (iv) Large Climbing Frame*
- (v) Embankment slide.*

The Public Realm Section have no objection subject to conditions including the implementation of the landscape masterplan, retention of landscape architect, landscape management, SUDS management plan, additional tree planting, revised play area, tree protection and a tree bond. These **conditions** should be attached in the event of a grant of permission.

It is also considered that a condition requiring the submission of a breeding bird survey and relevant measures should be submitted through **condition**.

It is therefore considered that this item has been satisfactorily addressed.

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Item 7 Requested

The Roads Department request the following additional information:

(a) The proximity of access to the Scholarstown Road roundabout may present risks. There is a raised pedestrian crossing at the access. To achieve the sight lines when exiting the development motorists will need to stop closer to the intended stop line, this will mean stopping on the pedestrian crossing. There is no elevation detailing the access location, a detailed visibility splay is required to ascertain if boundary treatment, street trees etc will limit forward visibility from the development. The road safety audit notes that on street parking on one side of Orlagh Grove if allowed to continue will obstruct visibility to and from the development and compromise safe unobstructed two-way movement on the road. The proximity to the access point of the neighbouring retail units could cause visibility issues

when used simultaneously leading to traffic hazard. Because of the nature of the neighbouring retail units, they would have a high frequency traffic use, resulting in an increased risk. The applicant is requested to move the proposed access location away from the other access or provide some mitigation to reduce the frequency of use of the other access.

(b) This development would be considered in zone 1 for parking as the nearby public transport is not high frequency nor multidirectional, and the nearest LUAS stop is over 5km away (the transport assessment notes the development is in close proximity).

A ratio of 0.64 has been applied to other developments in the area and would be considered appropriate for this, therefore the roads department consider the parking rate of 40no. a little low and would request additional parking closer to 49no. spaces.

A revised layout of not less than 1:200 scale showing the location and number of parking spaces to be provided at the development should be submitted. Please refer to Table 12.25: Maximum Parking Rates (Residential) – from the SDCC County Development Plan 2022-2028.

(c) A revised layout not less than 1:200 scale showing the pedestrian routes within the development. All footpaths shall be a minimum of 2.0m wide.

(d) A revised layout not less than 1:200 scale of the elevation of the access location detailing the boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

(e) Details of discussions with Public Realm in resolving Tree conflict with access point.

(f) A revised layout of not less than 1:200 scale a swept path analysis showing how the cars can safely access and egress the parking spaces for the development.

(g) Accurate plans demonstrating the provision of a visibility splay with 2.4 meters set back at a 1.05 meter height from ground level and 49 meters sight lines in both directions from the entrance. Sight lines 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). The visibility shall consider the proximity of the vehicle access to the south.

(h) A revised layout of not less than 1:200 scale detailing a cycle route from the proposed access to the existing cycle infrastructure on the Scholarstown Road.

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- (i) Internal access should be provided to the bicycle store at ground floor within the proposed apartment building.*
- (j) It is not clear where all the external bicycle parking spaces are, in order to meet the 183 no. total stated. The applicant is requested to clarify this.*

Applicant's Response:

- (a) Access point off Orlagh Grove has been redesigned. Improved visibility.
- (b) 4 no. additional car parking spaces proposed. Reduction in unit nos. which increases the parking ratio. 0.61 no. car parking spaces per unit. It will encourage future occupants of the scheme to use more sustainable modes of transport. Lower car parking standards accepted for the Two Oaks SHD. Standards in the CDP are maximum standards and are provided to ensure that car dependency in the County is reduced.
- (c) All footpaths shall be a minimum of 2.0m wide.
- (d) Drawing submitted showing the visibility for vehicles. Boundary walls are reduced down in height to provide a dwarf wall with railings over and pillars are kept at a maximum height of 1.2m.
- (e) Discussions with the Public Realm Section have already taken place and 2 no. existing street trees will need to be removed to form the new entrance and provide the required sightlines.
- (f) Vehicle tracking drawings submitted.
- (g) Details of sightlines submitted.
- (h) A drawing showing the cycle route from the proposed access to the existing cycle infrastructure on Scholarstown Road has been submitted.
- (i) Due to fire safety concerns, it was not possible to include an internal access to the bicycle store.
- (j) The revised landscape masterplan indicates the proposed cycle parking locations for the proposed development.

Assessment:

- (a) The Roads Department have reviewed the information submitted and state:
The applicant has submitted clear sight lines at 24m distance from the access location, this is in line with current DMURS and matches the speed limit of 30Kmph on Orlagh Grove. The pedestrian crossing has been moved away from the road edge to prevent cars blocking the junction allowing safe crossing. An elevation drawing has been submitted showing the boundary pillars at a height of 1.1m and double yellow lines will be provided to prevent parked cars blocking forward visibility. The yellow line should be extended north to the junction of the Scholarstown road.

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The proximity to the entrance to the south remains the same, the applicant has noted that the neighbouring access is entry only, but there are no mitigation measures on the ground to denote this. It has been stated that the traffic volumes from the development will be low thus reducing the chances of collision, but the use of the neighbouring access by delivery trucks and customers of the retail premises has not been quantified. The proximity to the access point of the retail units could cause visibility issues when used simultaneously leading to traffic hazard. Because of the nature of the retail units, they would have a high frequency traffic use, resulting in an increased risk. When the proposed access has been constructed this will result in Orlagh Grove having a complicated junction. The applicant is requested to provide mitigation at this junction to allow goods delivery trucks, vehicles and pedestrians safely use the proposed access and the existing retail access. The applicant should submit a detailed layout showing the operation of this junction for delivery vehicles and other road users.

The applicant has stated that traffic volumes from the proposed development will be low. The traffic and transport assessment submitted has figures estimating the traffic generated from the development. This assessment has the traffic survey conducted on one weekday in May. The applicant is requested to confirm and strengthen this report by providing additional survey information for the Scholarstown roundabout and the access point to the retail units for additional days during the week (Monday Friday) and during school term.

The traffic and transport refer to the addition of recent developments traffic generation being added to the traffic growth figures; the figures provided are lower than other recent reports received by this office. The applicant is requested to clarify the traffic growth figures used and the proportion attributed to other recently completed developments and those that have received planning in the local area.

The Roads Department recommend that the following clarification of additional information be requested from the applicant:

- 1. The applicant shall submit a revised layout of not less than 1:200 scale, showing a swept path analysis drawing (i.e., Autotrack or similar) demonstrating that large delivery vehicles, vehicles and pedestrians can access/egress the site and at the same time as well as the vehicles using the access to the south. The applicant should show any mitigation measures necessary to allow the safe use of this junction, for example yellow box, turning arrows, no entry etc.*
- 2. The works on the public road to extend the double yellow lines to the Scholarstown Roundabout on both sides of the road will be undertaken by the applicant as part of the overall planning permission.*
- 3. A traffic survey showing the current conditions at the Scholarstown Roundabout and the retail access on Orlagh Grove, for additional week days (Monday and Friday) during school term. The analysis shall also clarify/detail the amount of traffic from surrounding completed and planned developments that was included in traffic growth factors.*

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The applicant should be requested to show any works/measures along Orlagh Grove, within the area taken in charge by Council, to address the Roads Department's concerns and also improve pedestrian and cyclist movement along this street and the public realm. This includes along the front of the neighbouring retail/creche etc. site located to the south of the subject site and up to the roundabout on Scholarstown Road. How this connects in with the active travel/cyclist improvements along Scholarstown Road should also be shown.

The Planning Authority would also have concerns with how pedestrian and cyclist movement along Orlagh Grove is catered for in the design of the proposed vehicular access. The proposed raised pedestrian crossing is well setback from the street. The current design does not allow for a straightforward pedestrian and cyclist movement across the access.

Given the above concerns, it is considered that this item has not been fully addressed and **clarification of additional information** should be sought.

(b) Car parking was 40 no. for 76 no. apartments, resulting in a car parking ratio of 0.52 spaces per unit. Through additional information has been increased to 44 no. spaces for 72 no. apartments, resulting in a ratio of 0.61 spaces per unit. The Roads Department state:

The increase of parking provision at the development is required to ensure there is no over spill of parking from the development to the surround roads. The increase in the number of spaces provided and the reduction of apartment numbers is welcomed.

The mobility management plan and car parking strategy can be used to reduce the car parking provision in the future if the demand for car spaces falls.

The double yellow lines from the access point along Orlagh Grove should be extended to the Scholarstown road, to prevent overspill of parking.

Is therefore considered that the proposed car parking provision is compliant with the CDP subject to an approved mobility management plan and car parking strategy. This can be agreed though **condition**.

The extension of the double yellow lines should be addressed in relation to the **clarification of additional information** requested in relation to the proposed vehicular access.

(c) The Roads Department are satisfied with the response in relation to pedestrian routes. It is therefore considered that this item has been satisfactorily addressed.

(d) The Roads Department state in their report that the applicant has submitted details of the boundary height limited to 1.1m and that they are satisfied with the response.

(e) The Roads Department state in their report that an email from the Public Realm Section confirms discussions regarding the loss and replacement of the street tree adjacent to the proposed access point. Roads are satisfied with the response.

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(f) The Roads Department state in their report that the applicant has submitted Autotrack details of the fire tender access and vehicle car parking and that they are satisfied with the response.

(g) The Roads Department state in their report that the applicant has submitted sightlines and that they are satisfied with the response.

(h) The Roads Department state in their report that a cycle plan has been submitted detailing links to the existing cycle infrastructure and that they are satisfied with the response.

(i) The Roads Department state in their report that *If the bicycle store cannot be accessed safely and easily by residents, then its location should be moved to a more accessible location. All bicycle parking spaces shall be constructed in line with National Cycle Manual standards.*

The bicycle store room incorporated into the ground floor of the proposed apartment building would be accessed externally. The applicant has advised that an additional (internal) access is not possible due to fire safety concerns. The external access is located as such that it is considered appropriate for use and accessibility. It is therefore considered that this item has been satisfactorily addressed.

In the event of a grant of permission a **condition** should be attached requiring that all bicycle parking spaces shall be constructed in line with National Cycle Manual standards.

(j) The Roads Department state in their report that the bicycle parking has been shown on a master plan and that they are satisfied with the response.

The submitted Landscape Masterplan and Cycle Route Plan drawing no. 22159-2-102 indicates that there would be 40 no. external visitor (short stay) bicycle parking spaces, 112 no. internal (long term) spaces and 12 no. (long term) spaces in the private amenity spaces for the 2 no. units in Scholarstown House.

This equates to a total of 164 no. bicycle parking spaces. 12 no. are specifically for and accessible to the 2 no. units in Scholarstown House. A remainder of 152 no. would be for the use of 70 no. units and visitors, this equates to a ratio of 2.17 bicycle parking spaces per unit. The revised no. of bicycle parking spaces exceeds the minimum rates of the CDP (minimum rate of 160 no. comprising of 124 no. long term and 36 no. short stay).

Given the above, it is considered that the bicycle parking proposed is compliant with the CDP and that this item has been addressed. In the event of a grant of permission a **condition** should be attached requiring that all bicycle parking spaces shall be constructed in line with National Cycle Manual standards.

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Item 8 Requested

(a) Proposed surface water attenuation calculations are unclear. The applicant is requested to submit a report showing surface water attenuation calculation in table format. Show the site area in m², and areas of different surface types in m². Examples of surface types are buildings, green roofs, roads, pathways, permeable paving, green areas and their respective run off coefficients. Show in a report the SAAR (Standard annual Average Rainfall) value and green field run off rate in litres/second/hectare for the proposed development site. Use Met Eireann rainfall figures for the site when calculating the surface water attenuation required.

(b) The applicant is requested to submit a drawing showing the capacity in m³ of surface water attenuation provided in m³ of each SuDS (Sustainable Drainage System) system.

Applicant's Response:

Surface water attenuation details provided.

Site unsuitable for inclusion of soakaways. Swales, detention basin and permeable paving proposed.

Assessment:

Water Services have reviewed the information submitted and state that they have no objection subject to the following conditions:

The proposed surface water attenuation is undersized by approximately 40%. Prior to commencement of construction submit revised drawing with the inclusion of additional SuDS, such as but not limited to the following:

- *Green and Blue roofs*
- *Rain gardens with overflow connection to a public surface water sewer*
- *Bioretention rain gardens with an overflow connection to a public surface water sewer*
- *Swales*
- *Basins*
- *Wetlands and ponds*
- *Permeable pavement with other SuDS, considering Biodiversity*
- *SuDS Tree pits*

Prior to commencement of construction submit a report or revised drawing in cross sectional plan showing how surface attenuated under permeable paving.

The Public Realm Section state in their report that the submitted SUDS scheme is acceptable, however, the applicant is requested to provide details of the future management and maintenance requirements of the SUDS scheme proposed. They recommend a condition to this effect.

These **conditions** should be attached in the event of a grant of permission.

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Other

Irish Water have reviewed the information submitted and state that they have no objection subject to a condition that the applicant/developer enters into water supply and wastewater drainage connection agreements prior to the commencement of development. This **condition** should be attached in the event of a grant of permission.

Conclusion

Clarification of additional information should be requested in relation to the proposed vehicular access/egress and traffic.

Recommendation

Request Clarification of Additional Information.

Clarification of Additional Information

Clarification of Additional Information was requested on the 31st of May 2023.

Clarification of Additional Information was received on the 14th of June 2023 (not deemed significant).

Clarification of Additional Information Consultations

Roads Department

No objection subject to conditions.

Clarification of Additional Information Assessment

Item 1 Requested

It is not considered that sufficient information has been submitted to address Additional Information Item No. 7. The applicant is requested to submit the following information:

(a) A revised layout of not less than 1:200 scale, showing a swept path analysis drawing (i.e., Autotrack or similar) demonstrating that large delivery vehicles, vehicles and pedestrians can access/egress the site and at the same time as well as the vehicles using the access to the south.

The applicant should show any mitigation measures necessary to allow the safe use of this junction, for example yellow box, turning arrows, no entry etc.

(b) Details/plans that confirm that the works on the public road to extend the double yellow lines to the Scholarstown Roundabout on both sides of the road will be undertaken by the applicant as part of the overall planning permission.

(c) A traffic survey showing the current conditions at the Scholarstown Roundabout and the retail access on Orlagh Grove, for additional week days (Monday and Friday) during school term. The analysis shall also clarify/detail the amount of traffic from surrounding completed and planned developments that was included in traffic growth factors.

(d) Submit information and plans showing any works/measures along Orlagh Grove, within the area taken in charge by Council, to address the Roads Department's concerns and also improve pedestrian and cyclist movement along this street and the public realm.

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This includes along the front of the neighbouring retail/creche etc. site located to the south of the subject site and up to the roundabout on Scholarstown Road. How this connects in with the active travel/cyclist improvements along Scholarstown Road should also be shown.

(e) The Planning Authority would also have concerns with how pedestrian and cyclist movement along Orlagh Grove is catered for in the design of the proposed vehicular access. The proposed raised pedestrian crossing is well setback from the street. The current design does not allow for a straightforward pedestrian and cyclist movement across the access.

Applicant's Response:

(a) An auto track drawing showing large vehicular auto track details has been submitted.

Proposed footpaths into the site are not affected by the ingress or egress of large vehicles at the access point. Provision made for yellow box at the entrance to prevent blocking.

(b) Drawing submitted showing double yellow line road markings which extend along both sides of Orlagh Road towards Scholarstown Road. These works will be completed by the applicant as part of the implementation of any planning permission.

(c) Traffic counts cannot be undertaken until next September; school has closed for the summer. It has been demonstrated that the traffic generated by the proposed development is low and significantly below the requirement to even undertake a Traffic and Transport Assessment as issued by TII.

The traffic from adjoining development has been included in the traffic analysis.

(d) Double yellow lines will improve active travel/cyclist improvements by removing unwanted parking and ensuring cyclists can continue their journey unimpeded from existing infrastructure along Scholarstown Road.

(e) Double yellow road markings to prevent illegal parking and the pedestrian crossing has also been raised and setback to allow pedestrian movements to be uninterrupted by cars waiting at the entrance into the proposed development as requested.

Assessment:

(a) The Roads Department have reviewed the information submitted and state in their report *'The applicant has submitted a layout showing the autotrack and visibility of a delivery vehicle into and out of the neighbouring retail centre. Roads are satisfied with the response.'*

(b) The Roads Department state in their report that they are satisfied with the response.

(c) It is acknowledged that the proposals are sub-threshold for the requirement of a Traffic and Transport Assessment and that the applicant is unable to undertake additional week day traffic survey(s) accounting for school related traffic until the next school term commences. Following a phone call with the Roads Department on the 11th of July 2023 it was advised that it should be conditioned that the traffic survey(s) is undertaken when schools commence to ascertain the traffic, pedestrian and cyclist usage of Orlagh Grove and the vicinity with a view to improving Orlagh Grove as a 'shared street' with improved pedestrian and cyclist infrastructure.

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The information can also inform the car parking provision onsite and mode share requirements. This can be addressed through **condition**.

(d) The Roads Department state in their report that '*Cycle South Dublin may have a specific idea on what is required.*'

Following a phone call with the Active Travel Section of SDCC on the 5th of July 2023 it was advised that the proposed development is not fully sufficient in terms of pedestrian and cyclist infrastructure and measures that support and encourage these forms of travel.

It was recommended that a condition be attached in the event of a grant of permission that requires a revised proposal that provides for improved cycle infrastructure, measures and access, in compliance with DMURS and the National Cycle Manual. This condition should be attached to a grant of permission.

(e) As above a condition should be attached in relation to pedestrian and cyclist measures.

The Roads Department recommend that in the event of a grant of permission conditions are attached in relation to construction and waste management, mobility management plan, and public lighting. These conditions should be attached to a grant of permission. It is therefore considered that this item has been satisfactorily addressed.

Other

The Housing Department's report dated the 1st of June 2023 states the following:
I refer to the above application for planning permission Reg Ref SD22A/0401 and I wish to advise that a Part V condition should be attached to any grant of permission for this application.

The Part V proposal lodged with the planning application for 14 apartments in one stair core broken down as 6 x 2 bed, 6 x 1 bed and 2 x 3 bed units is noted. We also note that the ground floor units from the drawings, the ground floor units incorporate the key universal design features and are suitable for candidates on the Councils medical priority housing list. The Part V percentage liability is dependent on the date the applicant purchased the subject site and the applicant is required to provide proof of same to the Housing Department. Further proposals are subject to review and consideration by the Housing Department, subject to planning approval. 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.

A Part V **condition** should be attached in the event of a grant of permission.

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It is noted that an observation was received from Transport Infrastructure Ireland dated 15th of December 2022 stating:

In the case of the above planning application, the Authority will rely on your planning authority to abide by official policy in relation to development on/affecting national roads as outlined in DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012), subject to the following:

The proposed development shall be undertaken in accordance with the recommendations of the Transport (Traffic) Assessment and Road Safety Audit submitted. Any recommendations arising should be incorporated as Conditions in the Permission, if granted. The developer should be advised that any additional works required as a result of the Transport Assessment and Road Safety Audits should be funded by the developer.

The above has been taken into consideration in the assessment of the proposed development.

Development Contributions

72 no. apartments

Exclude Part V apartments 14 no.

Exclude 2 no. apartments in Scholarstown House as not a change of use.

70 no. apartments in new block

No.	Unit	Bed/Person	GFA sq.m
1	0001	2 Bed 4 Person	82.45
2	0002	2 Bed 4 Person	84.12
3	0003	2 Bed 4 Person	78.55
4	0004	3 Bed 5 Person	101.87
5	0005	1 Bed	50.8
6	0006	2 Bed 4 Person	99.07
7	0007	2 Bed 4 Person	87.45
8	0008	2 Bed 4 Person	83.97
9	0009	2 Bed 4 Person	83.97
10	0010	2 Bed 4 Person	80.15
11	0011	3 Bed 5 Person	109.95
12	0101	1 Bed	46.5
13	0102	1 Bed	46.5
14	0103	1 Bed	46.50
15	0104	2 Bed 4 Person	85.27
16	0105	2 Bed 4 Person	82.45
17	0106	2 Bed 4 Person	84.12
18	0107	2 Bed 4 Person	78.55

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19	0108	3 Bed 5 Person	101.87
20	0109	1 Bed	50.8
21	0110	2 Bed 4 Person	99.07
22	0111	2 Bed 4 Person	87.45
23	0112	2 Bed 4 Person	83.97
24	0113	2 Bed 4 Person	83.97
25	0114	2 Bed 4 Person	80.15
26	0115	3 Bed 5 Person	109.95
27	0116	1 Bed	46.5
28	0117	1 Bed	51.75
29	0118	1 Bed	46.5
30	0201	1 Bed	46.5
31	0202	1 Bed	46.5
32	0203	1 Bed	46.50
33	0204	2 Bed 4 Person	85.27
34	0205	1 Bed	67.48
35	0206	1 Bed	57.3
36	0207	1 Bed	59.45
37	0208	1 Bed	47.79
38	0209	1 Bed	51.15
39	0210	2 Bed 4 Person	84.12
40	0211	2 Bed 4 Person	78.55
41	0212	3 Bed 5 Person	101.87
42	0213	1 Bed	50.8
43	0214	2 Bed 4 Person	99.07
44	0215	2 Bed 4 Person	87.45
45	0216	2 Bed 4 Person	83.97
46	0217	2 Bed 4 Person	83.97
47	0218	2 Bed 4 Person	80.15
48	0219	3 Bed 5 Person	109.95
49	0220	1 Bed	46.5
50	0221	1 Bed	51.75
51	0222	1 Bed	46.5
52	0301	1 Bed	46.5
53	0302	1 Bed	46.5
54	0303	1 Bed	46.50
55	0304	2 Bed 4 Person	85.27
56	0305	1 Bed	67.47

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57	0306	1 Bed	57.3
58	0307	1 Bed	59.45
59	0308	1 Bed	47.79
60	0309	1 Bed	51.15
61	0310	2 Bed 4 Person	84.12
62	0311	2 Bed 4 Person	78.55
63	0312	3 Bed 5 Person	112.3
64	0313	2 Bed 4 Person	95.47
65	0314	2 Bed 4 Person	83.85
66	0401	2 Bed 4 Person	80..38
67	0402	1 Bed	54.31
68	0403	1 Bed	63.46
69	0404	3 Bed 5 Person	100.46
70	0405	3 Bed 5 Person	100.31
		Total	5047.57

Planning Reference Number	SD22A/0401
Summary of permission granted:	Residential Apartments – 70 no. in new block
Are any exemptions applicable?	Yes
If yes, please specify:	Social Housing Units - exempt
Is development commercial or residential?	Residential
Standard rate applicable to development:	119.10
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	119.1
Area of Development (m2)	5047.57
Amount of Floor area, if any, exempt (m2)	1001.76
Total area to which development contribution applies (m2)	4045.81
Vehicle display areas/ Open storage spaces	
Rate applicable	€11.91
Contribution	€0.00
Total development contribution due	€481,855.97

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ASSESSMENT OF SECURITY BONDS 2022			
Dwellings	NO OF UNIT	CASH	BOND
1-20	0	€6,994	€8,043
21-50	0	€4,896	€5,630
51+	0	€2,798	€3,217
TOTAL DWELLING	0	€0.00	€0.00
Apartments	NO OF UNIT	CASH	BOND
1-20	20	€4,969	€5,715
21-50	30	€3,478	€4,000
51+	22	€1,988	€2,286
TOTAL DWELLING	72	€247,456.00	€284,592.00
TOTAL SECURITY CALCULATION		€247,456.00	€284,592.00

SEA monitoring

Building Use Type Proposed: Residential development

Floor Area: 5,298.06sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.79 Hectares.

Conclusion

A large number of submissions were receiving opposing the development across a range of issues including density, height, traffic, impact on the protected structure, ecology and trees, existing residential amenities as well as the availability of local services. Notwithstanding these concerns, the proposals as revised are well considered and perform well against substantive planning considerations and policy. Though significant in density and height relative to the prevailing pattern of development in the area, the design of the scheme and the separation distances provided result in a well-conceived, compact and appropriate development that will sit comfortably in the streetscape along Scholarstown Road and Orlagh Grove. The proposals will also secure the longevity of the protected structure and deliver much-needed housing. In reaching this conclusion, regard was given to national planning guidelines and compliance with SPPRs. Of particular relevance is the emphasis on brownfield housing delivery and performance-based criteria in NPO 3a, NPO 11 and NPO 13 of the National Planning Framework. Other concerns in relation to trees, ecology, archaeology, traffic and parking are considered to be satisfactorily addressed either by way of the proposals, additional information or by conditions.

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Having regard to the: provisions of the South Dublin County Development Plan 2022-2028, the established character of the area, and the nature and scale of the proposed development including its siting, density, heights and form, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

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

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FIRST SCHEDULE

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

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 8th of May 2023 and Clarification of Further Information received on the 14th of June 2023, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Amendments.
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that incorporate all of the following amendments unless otherwise agreed-
 - (a) Screening to the relevant balconies to mitigate overlooking of Scholarstown House.
 - (b) Apartment Nos. 0206, 0207, 0306 and 0307 reconfigured so that the opaque windows on the southern elevation are to non-habitable rooms only (i.e., bathrooms).
 - (c) Glazed balustrades proposed on balconies and terraces replaced with metal railings in the interest of visual amenity.
 - (d) Apartment Nos. 0008 and 0009 moved and/or reduced in size (and possibly the apartments above) to provide for a larger privacy strip along the front (south-east) of the terraces. Sufficient space shall be provided for planting.REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3. Architectural Conservation
Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority, following consultation with South Dublin County Council's Architectural Conservation Officer if necessary, the following:
 - (a) The proposed development shall be carried out in accordance with the details and particulars provided in the Method Statement and Schedule of Works (Submitted in response to Response to Further Information (RFI)) as part of an overall Conservation Strategy which shall include any necessary repairs and maintenance work. Works shall be carried out adhering to best conservation practice and principles.

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(b) A suitably qualified Conservation Architect or Conservation Professional with proven expertise and experience in the area of Architectural Conservation shall continue to be engaged to supervise and oversee the proposed works to the existing Protected Structure (Scholarstown House, RPS Ref. 322), ensuring that all conditions relating to the architectural conservation and status of the existing building are addressed and submitted for agreement with the Councils Architectural Conservation Officer as set out below. South Dublin County Councils Architectural Conservation Officer shall be informed when works commenced and shall be provided with a final Work Programme in order to facilitate site inspections.

(c) The proposed works including refurbishment, repairs and interventions to the Protected Structure (Scholarstown House, RPS Ref. 322) shall be carried out in accordance with the particulars as detailed in the Method Statement and Schedule of Works submitted as part of the formal response to RFI. All works shall be carried out in accordance with good conservation practice and principles ensuring minimal intervention and no damage or risk to the original built fabric.

- Those areas being affected by new opes or widening of new opes/interventions or new additions shall be made good using the appropriate materials and methods.

- A maintenance programme shall be submitted detailing on-going maintenance in highlighting areas of repair and maintenance to include roof, roof valley and rainwater goods. Long-term access to the roof/valley shall be considered and detailed in the compliance with this condition.

(d) Safety measures shall be put in place during the proposed works on site. A Safety Statement shall be provided detailing how the existing structures will be protected during demolition works and site clearance/excavation and construction. Details shall include how the Protected Structure and original architectural features and fixtures will be protected during works. Details shall also be included as to how the site will be accessed during the works and location of site set up etc.

A safety statement shall be submitted for written agreement with the Councils Architectural Conservation Officer prior to the commencement of development. Once works commence on site the Councils Architectural Conservation Officer shall be contacted with regard to inspecting the safety measures put in place to safeguard and protect the Protected Structures on site.

(e) Drawings and details of revised external materials and finishes for the new apartment building, including revised elevational drawings, a Schedule of Materials and Finishes and the necessary images and samples of the final materials and finishes for all elements. The revised proposals shall provide more variety in elevational treatment and the contemporary use of more traditional materials as proposed in the use of metal cladding to reflect the former agricultural use of the site in association with Scholarstown House.

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REASON: To ensure that any works relating to the Protected Structure are carried out correctly, that it is appropriately safeguarded to prevent any possible damage and that the materials and finishes for new development within the curtilage of a Protected Structure are appropriate in terms of finish and colour and are of a high quality, delivering the design ethos proposed.

4. Traffic and Transport

Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority, following consultation with South Dublin County Council's Roads Department and Active Travel Section where necessary, the following:

(a) A traffic survey(s) showing the current conditions at the Scholarstown Roundabout and the retail access on Orlagh Grove, for additional week days (Monday and Friday) during school term. The analysis shall also clarify/detail the amount of traffic from surrounding completed and planned developments that was included in traffic growth factors. The findings of the surveys shall inform the preparation of the Mobility Management Plan and a Car Parking Strategy as required by part (e) below.

(b) Revised plans incorporating pedestrian and cyclist measures and infrastructure along Orlagh Grove from the southern end of the site that adjoins the application site to the south, up to the roundabout at Scholarstown Road.

This shall include road markings, improvements to the existing accesses to the site that adjoins the application site to the south and/or improvements to the footpath along this part of Orlagh Grove. All works shall be located within lands within the applicant's or South Dublin County Council's control.

(c) Revised plans for the vehicular access to the site off Orlagh Grove demonstrating compliance with the Design Manual for Urban Roads and Streets and the National Cycle Manual, NTA (2011) or any superseding document.

(d) The pedestrian and cyclist site access to Scholarstown Road to the north revised to be an appropriate design for cyclists. The potential removal of or changes to the existing gates shall be reviewed having regard to architectural conservation.

(e) A Mobility Management Plan and a Car Parking Strategy following the completion of the abovementioned traffic survey(s), consideration to be given to dedication of some of the approved car parking spaces to a residents' car club.

(f) Details of a Public Lighting Design that accords with South Dublin County Council's taking in charge standards.

(g) A Construction Traffic Management Plan.

(h) All bicycle parking spaces shall be constructed in line with the National Cycle Manual, NTA (2011), or any superseding document.

The above works, once agreed with the Planning Authority, shall be undertaken at the applicant's expense.

REASON: In the interest of sustainable transport and traffic safety.

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5. Irish Water Connection Agreement.
Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.
REASON: In the interest of public health and to ensure adequate water/wastewater facilities.
6. Drainage - Irish Water.
 - (a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
7. Implementation of Landscape Masterplan
The landscape scheme shown on drawing No. 22159-2-100 Landscape Masterplan shall be implemented in full, within the first planting season following completion of the development, in addition:
 - i) All hard and soft landscape works shall be completed in full accordance with the submitted Landscape Masterplan (Dwg. No. 22159-2-100).
 - ii) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
 - iii) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012. Trees in Relation to Design, Demolition and Construction – Recommendations.
 - iv) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.
 - v) Play area to be revised to include the following additional items:
 - Wheelchair accessible roundabout or trampoline
 - A flat swing, bucket swing and two baby swings can be provided as part of a combination swing set.
 - Dutch Disk for older children
 - Large Climbing Frame
 - Embankment slide.

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REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within the CDP 2022-2028.

8. Retention of Landscape Architect

- i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.
- ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.
- iii) Installation of attenuation tree pits shall be supervised by the project landscape architect.

REASON: In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design.

9. Landscape Management

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority, a landscape management plan, including long term design objectives, levels and gradients, management responsibilities and maintenance schedules for all for all public open space areas. The development shall be carried out in accordance with the approved management plan.

REASON: To ensure satisfactory landscape treatment and that the maintenance of all public open space areas to be TIC is feasible, in accordance with the policies and objectives contained within the CDP 2022-2028.

10. Sustainable Urban Drainage Systems (SUDS)

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority, revised proposals for Sustainable Urban Drainage Systems (SUDS) including the following:

(a) A revised site layout drawing(s) with the inclusion of additional SUDS. The proposed surface water attenuation is currently undersized by approximately 40%. Additional SUDS may include:

- Green and Blue roofs
- Rain gardens with overflow connection to a public surface water sewer
- Bioretention rain gardens with an overflow connection to a public surface water sewer
- Swales
- Basins
- Wetlands and ponds
- Permeable pavement with other SuDS, considering Biodiversity
- SUDS Tree pits

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(b) A report or revised drawing in cross sectional plan showing how surface is to be attenuated under permeable paving.

(c) A comprehensive SUDS Management Plan that demonstrates that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network.

(d) A SUDS maintenance plan demonstrating how the system will function following implementation.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with the policies and objectives contained within the CDP 2022-2028.

11. Additional Tree Planting

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority, details of additional tree planting as part of the landscape proposals in order to ensure that there is a positive net gain in terms of new tree proposed compared to those being removed. As a minimum existing tree lost should be replaced on a 3:1 ratio basis.

Full details of all proposed tree planting shall be provided on a detailed planting plan. This planting plan will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. Any trees that are found to be dead, dying, severely damaged or diseased within three years of the completion of the building works shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

REASON: To and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance relevant policies here.

12. Revised Play Area

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority, revised play area proposals to include for imaginative play, constructive play and more active play i.e. climbing, swinging, bouncing spinning etc. Play area to be universally accessible. The applicant is to provide the following additional play items as part of the play proposals for the development:

(i) Wheelchair accessible roundabout or trampoline

(ii) A flat swing, bucket swing and two baby swings can be provided as part of a combination swing set.

(iii) Dutch Disk for older children

(iv) Large Climbing Frame

(v) Embankment slide.

REASON: To ensure that the development makes appropriate provision for play and informal recreation in accordance with relevant policies in the CPD 2022-2028.

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13. Tree Protection

(i) To ensure the protection of trees to be retained within the site, the applicant/developer shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the submitted Arboricultural Report and Tree Protection Plan prepared by Charles McCorkell. The arborist shall carry out a post construction tree survey on the condition of the retained trees. A completion certificate shall be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the Public Realm Section for written agreement upon completion of the works. The developer shall also be made aware of their obligations to constantly assess and survey the trees after construction because of the potential impact and the age/condition of these trees as outlined in the tree survey.

(ii) No drainage or service runs (including cables, pipes or similar services) shall be laid beneath the canopy of any tree identified for retention or within any fenced protection zone unless otherwise agreed in writing by the local planning authority.

REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality and in accordance with relevant policies and objectives in the CDP 2022-2028.

14. Tree Bond

A maximum of two weeks from the date of the Commencement Notice and prior to the commencement of works on site, a Bond or bank draft to the value of €26, 394.24 shall be lodged with South Dublin County Council as a security for the protection of the existing trees and hedgerows on site which are to be retained, as per the submitted Arborists Report.

The release of the bond will only be considered:

i) Upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

ii) a minimum twelve months after the completion of all site works once it has been ascertained that all trees/hedgerows specified for retention have been preserved in their prior condition and have suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree and hedgerow protection. The Council reserves the right to partially or fully sequester this bond in order to undertake compensatory planting elsewhere in the vicinity of this site, based on the Councils inspection and estimation of the damage caused.

REASON: In the interest of tree protection and the proper planning and sustainable development of the area.

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15. Ecological Protection

The applicant/developer shall implement all the mitigation measures detailed in the submitted Ecological Impact Assessment prepared by Altemar Ltd dated the 4th of May 2023 and appended (Appendix 1) Bat Fauna Impact Assessment prepared by Altemar Ltd dated the 19th of October 2022.

REASON: In the interests of the protection of protected flora and fauna.

16. Street Naming and Dwelling Numbering.

Prior to the commencement of any works on site the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

(i) A street naming and dwelling/unit numbering scheme, for the development as approved that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme.

The agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a manner to be clearly legible, and in accordance with Planning Authority's requirements.

The development name should:

1. Avoid any duplication within the county of existing names, and
2. Reflect the local and historical context of the approved development, and
3. Comply with;

(a) Development Plan policy, and

(b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and

(c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and

(d) Preferably make exclusive use of the Irish language.

Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site.

The applicant, developer, or owner is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required scheme.

REASON: In the interest of the proper planning and sustainable development of the area and compliance with the South Dublin County Council's Development Plan.

17. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

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REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

18. Archaeological Monitoring, Recording and Reporting.

(a) The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.

(c) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

19. Construction and Demolition Resource Waste Management Plan

Prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

REASON: In the interest of proper planning and sustainable development.

20. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

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REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

21. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

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22. Council Housing Strategy.

That the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997:

(i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2022=2028, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and

(ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.

REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.

23. Management Company.

A. Prior to the commencement of development the applicant/owner shall submit the following for the written agreement of the Planning Authority:

(i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and;

(ii) A detailed building lifecycle report which shall include an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of approval of the development, as well as demonstrating what measures have been specifically considered by the developer to effectively manage and minimise costs for the benefit of all potential residents.

The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.

B. Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.

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C. No development shall take place under this permission until the applicant, owner or developer has lodged for the written agreement of the Planning Authority:

(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above.

D. Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.

E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.

REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan.

24. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €481, 855.97 (Four hundred eighty-one thousand eight hundred fifty-five euros and ninety-seven cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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25. Security Bond

Pursuant to this decision, no development shall be commenced until security for the provision, satisfactory completion and maintenance, to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), of roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development, has been given by:

(a) Lodgement of a cash deposit of €247, 456.00 (Two hundred forty-seven thousand four hundred fifty-six euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or

(b) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of €284, 592.00 (Two hundred eighty-four thousand five hundred ninety-two euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided , completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Council's Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development.

REASON: To ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

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

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

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NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD22A/0401

LOCATION: Scholarstown House, Scholarstown Road, Dublin 16



**Deirdre Kirwan,
Senior Executive Planner**


**Gormla O'Corrain,
Senior Planner**

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

Date: 11 July 2023



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