

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0323      **Application Date:** 08-Aug-2022  
**Submission Type:** Additional      **Registration Date:** 07-Jul-2023  
Information

**Correspondence Name and Address:** Kieran O'Malley & Co. Ltd St. Heliers, Stillogran Park, Blackrock, Co. Dublin

**Proposed Development:** Demolition of a shed & workshop at rear of the Protected Structure to facilitate the provision of 18 car parking spaces; Construction of 12 dwellings comprising of 8 two storey with attic level accommodation, 4 bedroom semi-detached dwellings (c. 146sq.m each and 4 two storey with attic level accommodation, 3 bedroom semi-detached dwellings (c. 126 sq.m each) with vehicular access at main street; A pedestrian access to Forest Hills at the southern end of the site and ancillary site development works all within the curtilage of a Protected Structure.

**Location:** Main Street, Rathcoole, Co. Dublin

**Applicant Name:** Ciaran Reilly

**Application Type:** Permission

(CM)

### Site Description and Surroundings

The subject site is a long, generally rectangular plot of land located on the southern side of Main Street in Rathcoole. The site contains a two storey building, a Protected Structure (RPS:323) in the northern section of the site (ODM 114.6) which fronts onto Main Street. The building has an area of hardstanding to the front and a modern low wall boundary with the public footpath on Main Street. A large garage is located directly behind the building, with another smaller low shed located directly along the eastern site boundary. The southern section of the site, which is more elevated (ODM 116.84 – 117.53) is vacant and has a hardcore stone surface. The site is bounded to the east by the Burnafea Public House and associated car park and a line of semi-detached two storey houses, No's 1 – 10 Stoney Lane. A linear area of public open space associated with Forest Hills residential area is located directly to the south. The courthouse apartments, a 3-storey development provided in 5 blocks, and associated vehicular access ramp, is located to the west.

Site Area: 0.51 Hectares.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Description of Development

Demolition of a shed & workshop at rear of the Protected Structure to facilitate the provision of 18 car parking spaces;

Construction of **12 dwellings** comprising:

- 8 no. two storey with attic level accommodation, 4 bedroom semi-detached dwellings (c. 146sq.m each and
- 4 no. two storey with attic level accommodation, 3 bedroom semi-detached dwellings (c. 126 sq.m each) with vehicular access at main street;
- A pedestrian access to Forest Hills at the southern end of the site and ancillary site development works all within the curtilage of a Protected Structure (RPS Reg. 323)

### Development Statistics

Gross Site Area (Ha.)	0.51
Proposed	
No. of Proposed Units	12
3-Bed Houses	4
4-Bed Houses	8
Gross Floor Area (Sq.M.)	
Existing	720.5
Proposed	1675.76
Demolition	412.7
Protected Structure	307.8
Density	
Proposed Plot Ratio	0.45
Site Coverage	19%
Residential Density	32
Open Space (Sq.M)	Not Stated
Car Parking	
Private	24 (2 per unit)
Visitors	10
Additional	8
Total	42

### Zoning

The site is subject to the 'VC' and 'RES' zoning objectives.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### SEA Screening

The site overlaps with the following:

- Rathcoole registered monument (RMP ref: DU021-030 – villages);
- Casement Aerodrome approach surface and take-off climb surface, and inner horizontal surface;
- Casement Aerodrome significant noise and bird hazard areas; and
- Rathcoole Village ACA

### Consultations

Roads	Requests Additional Information.
Housing	No objection, subject to conditions.
Public Realm	Requests Additional Information.
Water Services	Requests Additional Information.

### External

An Taisce	Provided comments (see below).
Irish Water	Requests Additional Information.
Department of Housing	Requests Additional Information.
Department of Defence	

### An Taisce

- Notes that public open space has been divided into two by the access road.
- Seeks protection of the protected structure.

### Submissions/Observations/Representations

Third party observations and representations were received from Cllr Francis Timmons, the Rathcoole Community Council, and other individual neighbours.

### Rathcoole Community Council

- Supportive of backland developments.
- Welcomes design.
- No multi-unit developments should be permitted that will increase peak traffic congestion in Rathcoole until such time as a Traffic and Transport study is completed.
- Recent developments will exceed the development anticipated in the Rathcoole area for 2022 – 2028.
- No Dept. of Defence consultation.
- Upgrade of Tay Lane sewage pumping station required to cater for any additional demand prior to development in Rathcoole.
- Proposed entrance is inappropriate. Access from Courthouse apartments complex would be safer.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

- Pedestrian access through to Forest Hills would be narrow and suffer from lack of passive surveillance.
- Prefer for site to be developed for a commercial or medical centre use.
- Notes lack of a local development plan.
- Notes potential for inward noise impact on potential occupants.

### Individual Submissions

- Development Plan for Rathcoole required.
- Traffic Study for Rathcoole required.
- Investment in retail/commercial and community amenities required in Rathcoole.
- Development should be delayed until amenities are delivered.
- Rathcoole is listed as a 'Moderate Self-sustaining Growth Town'
- Design of houses is out of character with the area.
- Design of houses is inappropriate for the ACA, both in form and material function, and would have a negative impact on the setting of the protected structure.
- Unacceptable loss of privacy for neighbours, due to overlooking of rear gardens.
- Potential footfall and security risk arising from pedestrian access to Forest Hills.
- Queries whether application to Forest Hills Residents' Association has been made for pedestrian throughway.
- Direct overlooking from units 9-12 to rear garden of 9 Stoney Lane.
- Notes impact on traffic, lack of traffic study for area, and existing congestion.
- Tight site will have slow access and egress for emergency vehicles. Traffic congestion
- Traffic hazard due to location of proposed access in proximity to Courthouse Apts. And Stoney Lane accesses on Main Street.
- Inadequate car parking.
- Traffic hazard arising from visibility at access.
- Can site cope with bin lorries and emergency vehicles?
- Upgrade of Tay Lane Sewage station has not been carried out.
- Flood risk to Main Street.
- Rainwater from Stoney Lane gathers at junction with Main Street.
- Stoney Lane prone to flooding.
- Lack of SUDs
- Lack of biodiversity
- Applicant has cut back the natural boundary with surrounding sites.
- Comments in relation to ownership of walls to rear of Stoney Lane.
- Comments seeking that a new wall, built within the boundary of the site, be built.
- No inward noise survey done. Sources of noise include pub, N7, and aviation.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Planning History

**SD16A/0171:** Construction of **a total of 12 houses**, namely, 8 houses (3-storey, 4 bedroom semi-detached houses) and 4 houses (3-storey, 3 bedroom semi-detached houses) at the back of Protected Structure RPS No. 323 with associated car parking spaces. The development also includes the demolition of shed & workshop located to the rear of the Protected Structure RPS. No. 323 and the provision of 18 new car parking spaces, the construction of a new access road from Main Street and all ancillary site development works and services connections.

Decision: **GRANT PERMISSION.**

**SD16A/0171/EP:** Application for extension of permission of the above. **REFUSED** in February 2022 as works had not yet commenced.

**SD10A/0166:** The retention of the change of use of a portion (measuring 35sq.m. approximately) of the existing dwelling (which is a Protected Structure) to use as a taxi/hackney office/reception; the erection of signage on the premises; internal alterations to the premises; and all other associated ancillary works. The development proposed to be carried out consists of the formalised use of an area of the forecourt of the premises as a taxi/hackney queuing area/rank; and all other associated ancillary works.

Decision: **GRANT PERMISSION AND RETENTION**

### Planning Enforcement

None.

### Pre-Planning Consultation

None.

### Relevant Policy

#### **National Policy**

The relevant policy documents are detailed below. The Planning Authority are of the opinion that of most significant relevance is the National Planning Framework (NPF). In this regard, National Strategic Outcome 1 of the NPF refers to and, stresses the importance, of 'Compact Growth'. The NPF states,

'From an urban development perspective, we will need to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages and ensuring that, when it comes to choosing a home, there are viable attractive alternatives available to people.'

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

The NPF indicated that the delivery of compact growth will be through National Policy Objective 2a, which states,

‘A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs.’

and National Policy Objective 3a, which states,

‘Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.’

The National Planning Framework also includes a specific Chapter, No. 6, entitled ‘People, Homes and Communities’. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

### Other Ministerial Guidelines and Policy

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

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

**Rebuilding Ireland: Action Plan for Housing and Homelessness**, Government of Ireland (2016).

**Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities**, Department of Housing, Planning and Local Government (2020).

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

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

**Urban Development and Building Heights Guidelines for Planning Authorities**, (2018)

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

# **Comhairle Chontae Atha Cliath Theas**

**PR/0905/23**

## **Record of Executive Business and Chief Executive's Order**

**Design Manual for Urban Roads and Streets** Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

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

**The Planning System and Flood Risk Management - Guidelines for Planning Authorities**, Department of the Environment, Heritage and Local Government & OPW, (2009).

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

**The Framework and Principles for the Protection of Archaeological Heritage, Department of Arts, Heritage, Gaeltacht and the Islands (1999)**

**Departmental Circulars**, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL08/2020: Vacant Site Levy
- Circular NRUP 02/2021 - Residential Densities in Towns and Villages

**Circular Letter NRUP 03/2021** – s.28 Guidelines on the Regulation of Institutional Investment in Housing

### **South Dublin County Development Plan 2022 – 2028**

Chapter 2 Core Strategy and Settlement Strategy

Policy CS1 Strategic Development Areas

Section 2.6 Total Land Capacity within Strategic Development Areas

Table 2.8 Total Land Capacity within Strategic Development Areas

Table 2.9 Capacity of undeveloped lands within South Dublin

Policy CS5 Lands for Employment

Section 2.7 Settlement Strategy

Policy CS6 Settlement Strategies – Strategic Planning Principles

Section 2.7.1 Dublin City and Suburbs

Section 2.7.1: Tallaght

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

Policy CS7 Promote the consolidation and sustainable intensification of development within the Dublin City and Suburban settlement boundary.

### Section 2.7.2 Self-Sustaining Growth Towns / Self-Sustaining Town

“Rathcoole has limited public transport provision and social services to date. Some improvements will be made as BusConnects brings improved services and overall accessibility to Celbridge, Dublin City Centre, Grangecastle, Hazelhatch train station and Saggart Luas Stop. It is important that Rathcoole develops at an incremental pace, based on the delivery of social, physical and transport infrastructure and services. The capacity of zoned lands is considered to be sufficient to meet long term demand for the settlement.”

### Policy CS10 Rathcoole

#### Chapter 3 Natural, Cultural and Built Heritage

Policy NCBH1 Overarching

Policy NCBH2 Biodiversity

Policy NCBH5 Protection of habitats and species outside of designated areas.

#### Section 3.4.2 Archaeology

Policy NCBH13 Archaeological Heritage

#### Section 3.5.2 Protected Structures

Policy NCBH19 Protected Structures

NCBH19 Special Local Objective 3: “To protect Glebe House RPS Ref. 313 (Former Mary Mercer Trust Charter School for Girls), Rathcoole”

#### Section 3.5.3 Architectural Conservation Areas

##### 1. Rathcoole Village

Policy NCBH20 Architectural Conservation Areas

Policy NCBH21 Vernacular / Traditional and Older Buildings, Estates and Streetscapes

Policy NCBH22 Features of Interest

#### Section 3.6 Architectural Conservation, Adaptability and Placemaking

Policy NCBH23 Architectural Conservation and Design

NCBH23 Objective 3

NCBH Objective 4

NCBH23 Objective 7

Policy NCBH24 Adapting and Reusing Historic Buildings

Policy NCBH25: Placemaking and the Historic Built Environment

NCBH25 Objective 3: To support certain appropriate backland development in villages

Policy NCBH26: Climate Change, Adaptation and Energy Efficiency in Tradition and Historic Buildings



# **Comhairle Chontae Atha Cliath Theas**

**PR/0905/23**

## **Record of Executive Business and Chief Executive's Order**

Chapter 4 Green Infrastructure

Policy GI1 Overarching

GI1 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

Strengthen the existing Green Infrastructure (GI) network and ensure all new developments contribute towards GI, in order to protect and enhance biodiversity across the County as part of South Dublin County Council's commitment to the National Biodiversity Action Plan 2021-2025 and the South Dublin County Council Biodiversity Action Plan, 2020-2026, the National Planning Framework (NPF) and the Eastern and Midlands Region Spatial and Economic Strategy (RSES).

Policy GI4 Sustainable Drainage Systems

Require the provision of Sustainable Drainage Systems (SuDS) in the County and maximise the amenity and biodiversity value of these systems.

GI4 Objective 3:

To require multifunctional open space provision within new developments to include provision for ecology and sustainable water management.

GI4 Objective 4:

To require that all SuDS measures are completed to a taking in charge standard.

Section 4.3.1 Components of the GI Network

Figure 4.4. Green Infrastructure Strategy Map

Chapter 5 Quality Design and Healthy Placemaking

Policy QDP1 Successful and Sustainable Neighbourhoods

Policy QDP2 Overarching – Successful and Sustainable Neighbourhoods

Policy QDP3 Neighbourhood Context

QDP3 Objective 2: special character of villages

QDP3 Objective 3: design standards and context in villages

QDP3 Objective 5: appropriate height in villages

Policy QDP4 Healthy Placemaking

Policy QDP5 Connected Neighbourhoods

Policy QDP6 Public Realm

QDP6 Objective 2: public realm improvements in villages (SDCC initiatives)

QDP6 Objective 3: public realm improvements in villages

Policy QDP7 High Quality Design

# **Comhairle Chontae Atha Cliath Theas**

**PR/0905/23**

## **Record of Executive Business and Chief Executive's Order**

Policy QDP8 High Quality Design – Building Height and Density  
Policy QDP8 Objective 2  
Policy QDP9 High Quality Design - Building Height and Density  
Policy QDP10 Mix of Dwelling Types

### Chapter 6 Housing

Policy H1 Housing Strategy and Interim Housing Need and Demand Assessment  
Policy H7 Residential Design and Layout  
Policy H8 Public Open Space  
Policy H9 Private and Semi-Private Open Space  
Policy H10 Internal Residential Accommodation

### Chapter 7 Transport and Movement

Policy SM1 Overarching – Transport and Movement  
Table 1 7.1 Cycle South Dublin Routes and Projects  
Policy SM2 Walking and Cycling  
SM2 Objective 12: Signage in villages  
SM2 Objective 17: Cycling facilities in villages  
Policy SM3 Public Transport – General  
Policy SM3 Public Transport – Bus  
Policy SM3 Public Transport – Rail, Transport Interchange and Park and Ride  
Table 7.5 Six Year Road Plan  
Policy SM5 Street and Road Design  
Section 7.9 Transport Studies and Traffic Management  
Policy SM6 Traffic and Transport Management  
SM6 SLO 1: To carry out a traffic and transport study for Rathcoole, Saggart and Newcastle and the surrounding areas following the publication of the GDA Strategy review to 2042 which will clarify the context within which the road network in the area will function and to include a review of HGV movement.

### Policy SM7 Car Parking and EV Charging

SM7 Objective 7: Nature of parking and parking restrictions in village centres

### Chapter 8 Community Infrastructure & Open Space

Policy COS5 Parks and Public Open Space – Overarching  
Section 8.7.3 Quantity of Public Open Space  
Policy COS7 Childcare Facilities  
Policy COS8 Primary and Post Primary Schools  
COS8 SLO1: To identify a site for the appropriate location of a new post primary school within the Neighbourhood Area of Citywest / Saggart / Rathcoole / Newcastle to provide for the needs identified for the catchment area by the Department of Education.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

Policy COS10 Libraries

COS10 Objective 2: Support a new library in the Rathcoole environs

Chapter 10 Energy

Policy E3 Energy Performance in Existing and New Buildings

Policy E4 Electric Vehicles

Policy E5 Low Carbon District Heating Networks

Chapter 11 Infrastructure and Environmental Services

Section 11.8 Airports and Aerodromes

Policy IE8 Environmental Quality

Policy IE9 Casement Aerodrome

Policy IE13 Noise

Chapter 12 Implementation and Monitoring

Section 12.3.5 Landscape Character Assessment

Rathcoole – Historic Urban landscape type

### Assessment

The main issues for consideration are as follows:

- Zoning and council policy
- Settlement policy
- Architectural Conservation
- Archaeology
- Quality design and healthy placemaking
- Residential amenity
- Social and Affordable Housing
- Natural heritage, open space and green infrastructure
- Sustainable movement
- Drainage
- Aviation safety

### **Zoning and Land-Use Policy**

Permission was granted on the site for 12 houses (SD16A/0171) for a very similar layout. That permission has expired.

The site is subject to two zoning objectives. The northern portion of the site, around the protected structure, is zoned 'VC,' "To protect, improve and provide for the future development of Village Centres. The remainder and majority of the site is zoned 'RES,' "to improve and/or protect residential amenity." The proposed use is residential and is permitted in principle in both cases, subject to all other relevant policies and the impact on adjoining residential properties.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### **Settlement Policy**

The South Dublin County Development Plan 2022 – 2028 commits South Dublin County Council to undertaking a Traffic Study in Rathcoole during the lifetime of the plan. The County Development Plan also advises that residential development in the area should be provided in tandem with appropriate amenities. The Plan also supports infill development in the village core.

The proposed development is for residential development only, on a site which currently accommodates an office within the protected structure. The houses are located in the 'RES' zoned area. It is considered that the delivery of 12 no. houses may be acceptable subject to proper provision of appropriate improvements to the public realm and provision of useful public open space, and that there is an opportunity for an intervention of that sort on the site. It is also noted that the County Development Plan seeks the provision of a library and a post-primary school in Rathcoole.

### Residential Density

The proposed residential density is 32 dwellings / ha. This is on the lower end of what is acceptable in a central site in a small town but is considered acceptable as per Planning Circular NRUP 02/2021 in certain circumstances. It is considered in this case that, having regard to County Development Plan policies regarding the development of Rathcoole and amenities within Rathcoole, the proposed density can be considered acceptable.

### **Architectural Conservation**

The building occupying the northern portion of the site is a protected structure (RPS. No. 323). This currently accommodates offices. The use is not proposed to change. Demolition of sheds to the rear are proposed as part of the development – these are recent constructions.

The SDCC Architectural Conservation Officer requests further information and has submitted the following report:

#### *Protected Structure*

*A detached five-bay, two-storey house c.1820, Main Street, Rathcoole 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. 323. 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.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

*The Protection also extends to the lands of the site and as such come under the provisions of the Planning and Development Act 2000.*

### *Architectural Conservation Area*

*Rathcoole Village is designated as an Architectural Conservation Area in accordance with Part IV of the Planning and Development Act (2000) as such related policy is included in South Dublin County Development Plan 2022-2028.*

### *Appraisal*

*This is an application for the construction of 12 dwellings comprising of eight, 2-storey with attic level accommodation to the rear of an existing Protected Structure, (RPS Ref. 323) detailed above. The proposed development includes for the demolition of a shed and workshop at the rear of the Protected Structure to facilitate the new back land development. The shed and workshop structures are of modern construction and/or of no architectural merit. The proposed development consists of development within the curtilage of the existing house (Protected Structure, RPS Ref.323) however given the proposed location and set back from the rear of the existing Protected Structure there is no direct visual impact identified. The proposed dwellings are not located right onto Main Street and although the new development may be viewed from Main Street depending on the viewpoint there will be no direct visual impact on the character of the Rathcoole ACA.*

*However, it is considered that the proposed development within the curtilage of the existing Protected Structure is an opportunity to improve the overall setting to the front and rear of the Protected Structure. In order to improve the setting of the Protected Structure and streetscape setting a landscape plan that provides new soft planting and trees to the front site and the rear area of the Protected Structure should be included. It is noted that the proposed front boundary wall will be improved with the insertion of granite capping and iron railings with planting along the wall, but it is felt more planting and soft landscaping is required to remove the amount of hard surface and improve the overall landscape setting.*

*It is proposed to remove the existing mesh gates to the east of the site to provide new entrance and access point to the proposed new housing. The insertion of new entrance piers at this location is acceptable and it is agreed that the removal of the existing mesh gates is a positive thing. It is also proposed to provide a new entrance pier to the west of the site for an access to rear parking behind the Protected Structure, one of the piers is extremely close to the existing building and therefore this needs to be addressed. The need for gate piers at this location should be re-examined.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

*The proposed dwellings are modern in form and design; however, it is felt that the materials and finishes should be revised to take account of the site context and reflect the existing materials and building stock within the Architectural Conservation Area of Rathcoole Village. It is therefore considered that revised materials should be submitted reflecting the design rationale and site context. Perhaps a more modest modern design using simple materials and colour palette given its location to the rear of a Protected Structure and within a rural village setting.*

### *Recommendation*

*It is recommended that in order to address the above items raised in the appraisal that the following items be requested as Additional Information;*

- *The proposed development includes for the demolition of a shed and workshop at the rear of the Protected Structure to facilitate the new back land development. The shed and workshop structures are of modern construction and/or of no architectural merit, however it is considered that details should be provided on how the Protected Structure will be safeguarded during the proposed demolition and proposed construction of the new development. A safety statement should be submitted detailing how the Protected Structure will be protected and safeguarded during the proposed demolition and construction works. Appropriate measures should be put in place in order to put ensure the Protected Structure is safeguarded and protected at all times.*
- *It is considered that the proposed development within the curtilage of the existing Protected Structure is an opportunity to improve the overall setting to the front and rear of the Protected Structure. In order to improve the setting of the Protected Structure and streetscape setting, a landscape plan that provides new soft planting and trees to the front site and the rear area of the Protected Structure should be submitted.*

*It is noted that the proposed front boundary wall will be improved with the insertion of granite capping and iron railings with planting along the wall, but it is felt more planting and soft landscaping is required to remove the amount of hard surface and improve the overall landscape setting of the front site and rear site of the Protected Structure.*

- *It is proposed to provide a new entrance pier to the west of the site for access to rear parking behind the Protected Structure, one of the piers is extremely close to the existing building and therefore this needs to be addressed. The need for gate piers at this location should be re-examined.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

- *The proposed dwellings are modern in form and design; however, it is felt that the materials and finishes should be revised to take account of the site context and reflect the existing materials and building stock within the Architectural Conservation Area of Rathcoole Village. Perhaps a more modest modern design using simple materials and colour palette given its location to the rear of a Protected Structure and within a rural village setting should be considered. A revised design and the use of materials which reflects the design rationale and site context in providing a high quality housing development at this location.*

### Planning Department Conclusions

The above recommendations are noted. It is considered appropriate that soft landscaping to the back of the protected structure and public realm improvements to the front are incorporated into the development. This may require a reconfiguration / re-conception of the residential access arrangements and parking arrangements to the rear of the protected structure, to reduce the amount of hard surface carriageway area and to integrate the access and parking functions. This is explored in the open space and sustainable movement sections below.

The above items should be put to the applicant as a **request for additional information**.

In relation to the Conservation Officer's comments on the proposed house types, these are near identical to the house types previously approved in the preceding permission for the site. As the policy framework is substantially unchanged in relation to built heritage, no amendments to the house types are sought in the interests of consistency.

### **Archaeology**

The applicant has submitted a desktop archaeological study. The Department of Housing, Local Government and Heritage has recommended that an Archaeological Impact Assessment be carried out prior to a grant of permission. This was previously a condition of permission; however, it is sought prior to a grant of permission, in accordance with best practice, so as to enable a redesign in the event of archaeological discovery. It is appropriate to request this as **additional information**.

### **Quality Design and Health Placemaking**

#### Urban Design

The applicant has provided an Urban Design Statement with the application. The general layout of the scheme as proposed is broadly acceptable, with houses oriented back-to-back with adjoining houses to the east, and a pedestrian connection provided between Main Street and the Forest Hills area to the south (in line with Policy CS10 Objective 1).

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

It is considered however that there are a number of details upon which the scheme is weak and should be improved. These are pedestrian safety, public open space, the setting of the protected structure, and the alignment and function of the access road alongside a new car park. These issues are dealt with in other sections of this report.

### Visual Impact and Character

The 12 no. proposed dwellings are each 2.5 storey with half hipped roofs and proposed to be finished in brick and render. A 22m separation distance is proposed to be provided between the rear elevations of units 1-8 and the houses on Stoney lane. There are no windows proposed to habitable rooms at second floor level to the rear. It is therefore considered that there are no issues regarding overlooking or loss of privacy arising from units 1 – 8.

Units 9 – 12 would have a different orientation, and there is a question of overlooking as unit 12 would side onto the rear gardens of Stoney Lane. In an urban context, and given the oblique angles involved, the potential for overlooking is considered to be acceptable, subject to the hallway window of unit 12, located on its eastern elevation, being made opaque by **condition**. It should be noted however that a reorientation of units 9 to 12 is being sought as per below sections, and this issue would not arise in that case.

### Build Height

The proposed houses would represent an increase on the height of some 2-storey developments in the area; however, the Courthouse apartments to the west are taller. additional site sections showing the relationship with surrounding residential buildings would enable a clearer understanding of this; however, it is considered that the additional height is not excessive and would not unduly impact the landscape or urban setting of Rathcoole.

### Village Amenities

The South Dublin County Development Plan 2022 – 2028 contains a number of policies aimed at the retention and improvement of streetscapes at the public realm in historic village centres in the county. The Plan also provides for a reduction in road signage, introduction of bicycle parking facilities and to ensure efficient use of car parking facilities, in village centres as appropriate. The relevant guidance is:

- Policy NCBH23 Objectives 3, 4, 5, and 6;
- Policy QDP3 objective 2;
- Policy QDP6 objectives 2, 3 and 5;
- Policy EDE13 Objective 2;
- Policy SM2 Objectives 12 and 17; and
- Policy SM7 Objective 7.



# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

The proposed development does not include any public realm improvements to the front of the site, nor are changes to on-street parking sought. The applicant should be requested to propose public realm improvements and to provide an urban design rationale for their proposals, as part of **additional information**. The County Development Plan envisages some coordination between developers and the council, and this can be incorporated into a **condition of permission** as necessary.

### Residential Amenity

#### Internal Residential Accommodation

The houses each comply with the 'Quality Housing for Sustainable Communities – Best Practice Guidelines' (2007). The proposed rear gardens meet the standards provided for in the South Dublin County Development Plan 2022 – 2028.

Overall, the proposed development would provide an adequate standard of private amenity for potential residents.

### Social and Affordable Housing (Part V)

The Housing Department has submitted a report stating no objection, subject to standard conditions. This is acceptable.

### Natural Heritage, Open Space and Green Infrastructure

The Public Realm Department has noted several concerns with the proposed development, including non-compliance with the South Dublin County Development Plan 2022 – 2028 or other policy/guidelines on children's play, open space provision, green infrastructure, sustainable drainage, and provision of street trees. The report proposes to deal with these issues by condition. A request for additional information is a more appropriate manner to deal with these issues.

As is noted elsewhere in this report, the provision of public open space in the development could be improved by way of changes to layout; ultimately, the applicant should demonstrate whether the County Development Plan standard of 2.4 Ha. per 1,000 of population is being met in the proposed development.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

The applicant should be asked to provide **additional information** in relation to:

- Provision of a playground / play area;
- Landscape plan details
- SUDs details
- Green space factor calculations
- Green infrastructure details
- Taking in charge
- Provision of public open space or contribution in lieu.

### Biodiversity

The Public Realm Department has proposed that bat boxes and hedgehog runs be provided as part of the final development. This can be a **condition of permission**.

### **Sustainable Movement**

The Roads Department has recommended additional information as follows:

1. Applicant to provide a stage 1 road safety audit with regard to the estate entrance.
2. Applicant to submit a road layout drawing which demonstrates an estate entrance and estate access road that has regard for pedestrians and vulnerable footpath users. Layout to be fully dimensioned, include road-markings/signage, kerb radii, road widths and sightlines.
3. Applicant to provide a road layout drawing that shows a formal road and footpath delineated with continuous concrete kerbing (that is not staggered), and that runs from estate entrance all the way through the estate, of minimum width 1.8m.
4. Applicant to provide AutoTRAK analysis demonstrating:
  - a. Emergency vehicle access/egress/turning throughout the site
  - b. How cars egress from the spaces outside No.12Applicant to also consider widening access road on bends that would allow for the safe passage of traffic (including emergency vehicles) through the estate.
5. Applicant to provide a layout showing all perpendicularly parked cars having a 6m reversing distance clearance.
6. Applicant to provide surface/lining details re the shared pedestrian and vehicular access.

The Roads Report makes clear that a primary concern is the safety at the vehicular access to the development.

Following further consultation with the Roads Department, it is evident that there are a number of issues with the car parking proposals on the site. Each house is provided with 2 parking spaces – the maximum amount allowed for under the County Development Plan. Additionally, 18 parking spaces are provided in a new car park to the rear of the protected structure – 10 of these are identified as visitor spaces for the residential development. The application cover letter and drawings do not provide an explanation for the additional 8 parking spaces.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

These spaces may be being provided for the office use within the protected structure. It is considered that the number of parking spaces being provided is excessive, being above maximum standards for residential development, and providing separate parking spaces for two complementary uses (residential and office).

The layout of the parking and the access road is a concern. The parking is provided in a separate car park, while the access road sweeps around this car park, bisecting an area of open space. The total surface area of vehicular carriageway is excessive, and this could be more efficiently organised to maximise the quantity and quality of public open space.

Third parties have raised the prospect of alternative access being provided via the courthouse apartments. The courthouse scheme has not been taken in charge, but an access through here would reduce the vehicular accesses onto Main Street and may be a more appropriate way to intensify residential development in the village. Alternatively, if vehicular access were provided on the other side of the protected structure (the western side), the access road would not need to traverse the site from east to west.

There are a number of issues with regards to safety, layout and provision of parking. These interact with concerns from the Architectural Conservation Officer, that the setting of the protected structure be enhanced to the front and rear – in particular with a landscaped setting to the rear.

### Pedestrian Permeability

The pedestrian footpath through the development would facilitate a connection between Main Street and Forest Hills, a residential area to the south. Forest Hills has not been taken in charge and the realisation of this connection would require the consent of the management company there. Some observations have objected to this aspect of the development, due to the potential for anti-social behaviour.

It is apparent from the layout that the southern stretch of the footpath, to the west of unit No. 9, would be narrow, closed in, and would not be overlooked by any adjoining houses. This would not be a safe connection and would attract anti-social behaviour. Nevertheless, this layout can be improved by way of re-orienting units 9 – 12 and maintaining an open street character throughout the development.

The provision of a pedestrian connection through this site would, in principle, be welcomed and would be in line with the County Development Plan policy on improving and facilitating permeability for active travel. The provision of a well surveilled pedestrian/cycle linkage would represent a significant improvement on the preceding planning permission for the site.

The applicant should be requested to address these issues by way of **additional information**.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Drainage

#### Water

Irish Water has sought **additional information** and specified that, as part of their response, the applicant should lodge a letter of confirmation of feasibility from Irish Water, in relation both to water supply and wastewater. This is considered to be appropriate. Numerous submissions have referred to the need to improve the Tay Lane pumping station prior to development in Rathcoole (Irish Water has not specifically referred to this).

The Water Services report recommends a request for additional information in order that further details may be provided regarding the proposed detention basin and attenuation calculations. The Public Realm Department's report additionally contests that no underground attenuation should be utilised until natural SUDs options have been exhausted (green roofs, blue roofs, permeable paving, rills, channels, rain gardens, etc.). It is appropriate to request **additional information** in relation to the nature and the capacity of drainage systems proposed.

### Aviation Safety

The site is located in the approach zone and noise zone of Casement Aerodrome. The Department of Defence has recommended that all crane activity be coordinated with the Air Corps Air Traffic Services, and that a wildlife aviation impact assessment should be carried out and mitigation measures implemented during construction. These matters can be dealt with by **condition**.

Policy IE13 of the County Development Plan requires that residential uses in this area ensure that any noise are subject to an appropriate noise assessment and mitigation measures to protect residential amenity. The applicant should provide such an assessment and mitigation measures by way of **additional information**.

### Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising 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

Having regard to:

- Nature and scale of the works;
- Location of the works within a modified landscape and relative to any designated site;
- Lack of any hydrological connectivity to any aquatic receptors that link to a European site;

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

It is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### **Other Considerations**

In order to adequately assess the proposed development for bonds & contributions, the applicant should clearly identify how many additional car parking spaces are being proposed as part of the development and assess them against the standards contained in the South Dublin County Development Plan 2022 – 2028. They should also be requested to provide a revised schedule of accommodation as per any revisions to the proposed development. This should be done by way of **additional information**.

### **Conclusion**

The proposed development is located on a site which previously held permission from 2016. The principle of residential development in the village of Rathcoole is acceptable subject to commensurate provision of services and amenities, and improvements to the village core as per various policies of the County Development Plan. The proposed development does not accord with the South Dublin County Development Plan 2022 – 2028 in relation to car parking and public open space, and additional issues arise in relation to architectural conservation, village amenities, aviation safety and noise, and the layout of parking, streets and footpaths in the infill development. The design should be revisited and improved as per the following request for additional information.

### **Recommendation**

Request for Further Information.

### **Further Information**

- Further Information was requested on the **03/11/2022**.
- A time extension on the Further Information request was approved **16/03/2023**.
- The Further Information request was extended to the **11/07/2023**.
- Further Information was received by the planning authority on the **07/07/2023**.

### **Consultations**

#### *Internal*

Public Realm Section – **Refusal** recommended.

Roads Department – No objection, subject to the recommended **conditions**.

Architectural Heritage Officer – No objection, subject to the recommended **conditions**.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### External

Department of Housing, Local Government and Heritage - No objection, subject to the recommended **conditions**.

### Submissions/Observations

No further submissions/observations received.

### Assessment of Further Information

#### **Item 1 requested:**

*Architectural Conservation.*

*(A) The proposed development includes for the demolition of a shed and workshop at the rear of the Protected Structure to facilitate the new back land development. The shed and workshop structures are of modern construction and/or of no architectural merit, however it is considered that details should be provided on how the Protected Structure will be safeguarded during the proposed demolition and proposed construction of the new development. Details around how the Protected Structure will be protected and safeguarded during the proposed demolition and construction works is requested.*

*(B) It is considered that the proposed development within the curtilage of the existing Protected Structure is an opportunity to improve the overall setting to the front and rear of the Protected Structure. In order to improve the setting of the Protected Structure and streetscape setting, a landscape plan that provides new soft planting and trees to the front site and the rear area of the Protected Structure should be submitted. It is noted that the proposed front boundary wall will be improved with the insertion of granite capping and iron railings with planting along the wall but it is felt more planting and soft landscaping is required to remove the amount of hard surface and improve the overall landscape setting of the front site and rear site of the Protected Structure.*

*(C) It is proposed to provide a new entrance piers to the west of the site for access to rear parking behind the Protected Structure, one of the piers is extremely close to the existing building and therefore this needs to be addressed. The removal of these gate piers should be considered.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### The applicant's response to Item 1:

- Item 1(A) – the applicant notes that a Construction Management Plan prior to any commencement can include final the details of protective measures for the protected structure.
- Item 1(B) - the applicant refers to enclosed drawings and landscape rationale from RMDA Landscape Architects and drawing no. F1-04D by Collins Maher Martin Architects.
- Item 1(C) – the applicant states the proposed gate piers are intended to appropriately identify the exit for motor vehicles.

### Assessment:

South Dublin County Council's Architectural Heritage Officer (ACO) has reviewed the additional information submitted and provided the following comments;

### Recommendation

*It is considered that the following conditions should be attached to any grant of permission:*

- I. Appropriate measures as detailed in the AI submission should be put in place in order ensure the Protected Structure is safeguarded and protected at all times during the proposed development and proposed construction. A buffer zone should be set and marked around the perimeter of the Protected Structure ensuring that no construction vehicles or equipment are operated within the zone of protection. In addition, a Construction Management Plan should be submitted for agreement and approval on final details of protective measures for the Protected Structure.*
- II. It is noted that the landscaping to the front of the Protected Structure is detailed in the response which refers to the proposed landscape plan, however it is considered that the front site and setting of the protected structure still lacks soft landscaping and therefore the design for this area should be revised in order to provide for a greater level of soft landscaping to improve the setting of the protected structure and streetscape setting within the ACA.*
  - *The proposed railing design is shown as a parkland railing on the landscape drawings; however, it is shown on the revised survey drawings as a more ornate railing type. Final details are required to confirm the proposed boundary treatment which will provide the boundary along the front site of a protected structure. Currently the overall design and boundary treatment does not reflect the overall context within the ACA with regard to providing a more appropriate boundary treatment and setting.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

- *It is also considered that the existing brick wall to the Main Street and front site of the Protected Structure does not provide an appropriate boundary at this location and therefore the existing wall should be rendered to match the finish of the protected structure and new pier proposed at the entrance to the new development. The applicant should be reminded that building materials should reflect the building materials/building stock found within the ACA.*
  - *Full details and materials/finishes should be submitted for agreement and approval by the Councils Architectural Conservation Officer prior to commencement of works. Details should include a profile for the proposed railing design at this location and a Schedule of Materials to include images in relation to the materials and planting.*
- III. *The proposed dwellings are modern in form and design; however, it is felt that the materials and finishes should be revised to take account of the site context and reflect the existing materials and building stock within the Architectural Conservation Area of Rathcoole Village. Perhaps a more modest modern design using simple materials and colour palette given its location to the rear of a Protected Structure and within a rural village setting should be considered. Revised design elements and the use of materials which reflects the design rationale and site context in providing a high quality housing development at this location should be submitted for agreement and approval. A schedule of materials should be included and should be considered and sensitive in terms of finishes within an Architectural Conservation Area.*

*The above conditions should be submitted for agreement and approval with the Councils Architectural Conservation Officer (Ms. I McLoughlin) prior to the commencement of development.*

The planning authority considers **Item 1** has been satisfactorily addressed, however, it is considered appropriate to apply all of the recommended **conditions** listed above.

### **Item 2 requested:**

*Roads.*

*The applicant is requested to provide:*

*(A) a stage 1 road safety audit with regard to the vehicular access/egress point.*

*(B) a rationale for the choice of vehicular access location, and to consider if this is the safest access point. Alternative access points include access from the west (via Courthouse apartments access street - not taken in charge), and from the north-west (via western access around protected structure).*



# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### The applicant's response to Item 2:

- Item 2(A) – the applicant submitted a Stage 1 Road Safety Audit, conducted by Traffic Ltd.
- Item 2(B) – applicant states issue is addressed in report prepared by TrafficWise, further referring to paragraphs 2.4 to 2.7 of the submitted report.

### Assessment:

The Roads Department has reviewed the additional information submitted and concluded the following;

- *Item 2(A) - A comprehensive RSA was submitted. Roads are satisfied that the AI criteria has been met.*
- *Item 2(B) - Roads are satisfied with the new arrangement.*

The planning authority concurs with the Roads Department's assessment and considers Item 2 has been satisfactorily addressed.

### Item 3 requested:

*Street Layout.*

*In order to address the issues listed below, the applicant is requested to provide: a revised street layout and surface material treatment details, including as necessary works to the public realm on Main Street. The layout should be fully dimensioned, include road-markings/signage, kerb radii, road widths and sightlines, surface and lining details:*

*(A) There would be poor visibility at the vehicular access junction, with vehicles exiting without full sight of pedestrians crossing. A revised layout should prioritise pedestrian movement, comfort and safety as reflects the village centre setting (reflecting also the public open space amenity to the rear if that is proposed).*

*(B) The access street bisects the area of potential public open space and is routed around a new car park. Notwithstanding the request for detail on the car park, it is considered that the layout duplicates vehicular road space unnecessarily, to the detriment of public amenity space. Additionally, the access road is provided with loose corners. The access street and parking should be integrated with one carriageway provided and designed so as to maximise the quality and quantity of a single useable green space within the site.*

*(C) The pedestrian footpath contains a number of staggered turns, which would provide difficulties for lesser able pedestrians and in design terms relegates the pedestrian to a peripheral consideration. Applicant to provide a road layout drawing that shows a formal road and footpath delineated with continuous unstaggered kerbing, and that runs from the vehicular access with a minimum width of 1.8 m throughout the development.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

*(D) The pedestrian connection to Forest Hills is welcome in principle and would open up permeability in the village core. The footpath would suffer from a lack of passive surveillance and would have a closed, narrow, alleyway character, for that stretch to the west of unit No. 9. The footpath should be widened and opened up to passive surveillance. This can be achieved with the reorientation and/or reconfiguration of units 9 - 12 to align with units 1 - 8, with provision of a turning circle as appropriate for traffic.*

### **The applicant's response to Item 3:**

- Item 3(A) – applicant states issue is addressed in report prepared by TrafficWise, further referring to section 2.9 of the submitted report.
- Item 3(B) – applicant states issue is addressed in report prepared by TrafficWise, further referring to section 2.10 of the submitted report, and drawing no. FI-05D, prepared by Collins Maher Architects.
- Item 3(C) – applicant states issue is addressed in report prepared by TrafficWise, further referring to section 2.11 of the submitted report, and drawing no. FI-05D, prepared by Collins Maher Architects.
- Item 3(D) – applicant states issue is addressed in report prepared by TrafficWise, further referring to section 2.12 of the submitted report, and drawing no. FI-01D and FI-05D, prepared by Collins Maher Architects. Proposed units reduced from 12 to 11 units.

### **Assessment:**

The Roads Department has reviewed the additional information submitted and concluded the following;

- Item 3(A) – *Roads feel that adequate visibility has been provided upon exiting the site.*
- Item 3(B) – *Roads are satisfied with the submission.*
- Item 3(C) – *Roads are satisfied with the submission.*
- Item 3(D) – *It seems that the passive surveillance issues have been overcome; Roads are satisfied with the submission.*

The planning authority concurs with the Roads Department's assessment and considers Item 3 has been satisfactorily addressed.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### **Item 4 requested:**

*Roads - Swept Path Analysis.*

*It is unclear if certain vehicles can access and move around the development. The applicant is requested to provide swept-path analysis demonstrating;*

- i. Emergency vehicle access/egress/turning throughout the site*
- ii. How cars egress from parking at No. 12 (note: provide similar indications if layout is revised).*
- iii. How perpendicularly parked cars can reverse into and/or out of car parking spaces / driveways, in any instance where a 6m reversing distance clearance, is not being provided.*

### **The applicant's response to Item 4:**

Applicant states issue is addressed in report prepared by TrafficWise, further referring to paragraphs 2.13 – 2.20 of the submitted report.

### **Assessment:**

The Roads Department has reviewed the additional information submitted and are satisfied with the submission.

The planning authority concurs with the Roads Department's assessment and considers Item 4 has been satisfactorily addressed.

### **Item 5 requested:**

*Footpath.*

*The site to the south is not in the ownership of South Dublin County Council. The applicant should consult with the owner(s) (which may be a management company) of the lands to the south and provide the result of these consultations as additional information. If possible, the applicant should obtain consent from the adjoining land owner for the full connection through the southern boundary of the site.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### The applicant's response to Item 5:

The land to the south is part of folio DN16656 (see copy of folio details attached) that was purchased by G R Holdings Limited (Limited Liability Company) 46 Upper Mount Street, Dublin 2 in November 1976. However, we have been unable to find that company or any successor in title. From local enquires, our client was informed the adjoining open space is maintained by the Council. The works proposed as part of this application are wholly within our client's ownership, so a letter of consent is not required to effect those works. Further, the issue of a letter of consent was not raised in the previous application (SD16A/0171) on this site. It is our client intention to design in a proposed pedestrian connection at the southern end of this site. If the Council is not satisfied that our client can implement these works, it is requested to omit them by condition.

### Assessment:

The Roads Department has reviewed the additional information submitted and concluded the following; *Roads have no issue with this item.*

The planning authority concurs with the Roads Department's assessment and considers Item 5 has been satisfactorily addressed. Notwithstanding the applicants response regarding pedestrian/cycle connection to the south, it is considered that this connection should be implemented by the applicant.

### Item 6 requested:

*Public Realm - Play Areas.*

*The applicant is requested to submit a detailed Play Rationale and Layout Plan (separate to, but related to the Landscape Masterplan), using natural and nature-based solutions, to provide informal, impromptu and spontaneous play opportunities, along with play equipment that provides appropriate challenges for multiple age groups. The Layout Plan shall comprise the following:*

*- showing types of play and play area(s), - target age groups, - landform (included levels and contours) and boundaries, - design and construction details of play opportunities and facilities in respect of landform, planting, boundaries, equipment and safety surface. All play equipment and ancillaries shall conform to European Standards EN 1176-1-11 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height). The applicant should show compliance with the following policy in the South Dublin County Development Plan 2022 – 2028: - Policy COS4 Objective 6; - Policy COS5 Objectives 19 to 28; - Section 12.6.10 guidance on Children's Play Areas (noting requirements for schemes of more than 10 units and predominantly 3+ bedroom units).*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### **The applicant's response to Item 6:**

Applicant refers to supporting Landscape Rationale document prepared by RMDA Landscape Architects.

### **Assessment:**

The Public Realm section has reviewed the additional information submitted and provided the following comments;

*The proposed play items are too focused on balancing items. Play to include for imaginative play, constructive play and more active play i.e., climbing, swinging, bouncing spinning etc. Play proposals shall be submitted in the form of a Proposed Play Rationale and Layout Plan (separate to, but related to the Landscape Masterplan), using Nature-based Solutions, informed by the 'genus loci' of the site (e.g., existing and planned landform, character etc.), to provide informal, impromptu and spontaneous play opportunities, along with structure, equipped play. The Layout Plan shall comprise the following:-*

- *showing types of play and play area(s),*
- *target age groups,*
- *design and construction details of play opportunities and facilities in respect of landform, planting, boundaries, equipment, and safety surface.*

*All play equipment and ancillaries shall conform to European Standards EN 1176 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height).*

The planning authority concurs with the Public Realm section's assessment of Item 6. By way of a **condition**, it is considered appropriate that the applicant is requested to submit a revised layout plan comprising all of the information listed above to the planning authority for agreement prior to the commencement of any development.

### **Item 7 requested:**

*Public Realm - Landscape Plan and Details.*

*The applicant is requested to provide additional information and consider a possible re-design to address the following issues:*

- (a) *The applicant has not provided details as to the levels and gradients within the proposed public open space areas. The developer is requested to submit level details for the open space areas, this shall include cross section drawings where applicable.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

*(b) As required under the current County Development Plan; Development should seek to maximise the use of permeable surfaces, as well as opportunities for stormwater attenuation and storage through SuDS and limit the use of underground attenuation and storage. In addition, SuDS measures will only be accepted as an element of public open space where they are natural in form and integrate well into the open space landscape supporting a wider amenity and biodiversity value.*

*(c) There is a lack of street tree planting. The applicant is requested to provide a standalone plan that clearly identifies street trees to be planted within the Public Realm and those that contain SuDS Features. On-street car parking to the north of the development shall be combined with regular tree planting and a high standard of kerbing and paving. It is a general objective that not more than five perpendicular or two parallel car parking spaces be allowed between trees.*

*Trees shall be planted into a porous material with structural root soil and constructed tree pits between the car spaces. Tree pits shall contain SUDS features.*

### **The applicant's response to Item 7:**

Applicant refers to supporting Landscape Rationale document prepared by RMDA Landscape Architects.

### **Assessment:**

The Public Realm section has reviewed the additional information submitted and provided the following comments;

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

- i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.*
- ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

- iii. *The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.*
- iv. *The applicant shall provide play and recreation opportunities for children and teenagers as appropriate to the scale and character of proposed development. Proposals shall be submitted in the form of a Proposed Play Rationale and Layout Plan (separate to, but related to, the Landscape Masterplan), using Nature-based Solutions. The Layout Plan shall comprise the following:-*
- *showing types of play and play area(s),*
  - *target age groups,*
  - *design and construction details of play opportunities and facilities in respect of landform, planting, boundaries, equipment, and safety surface.*
  - *All play equipment and ancillaries shall conform to European Standards EN 1176 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height).*
- v. *Street trees shall be provided fully in Public Realm areas and not within private or management company driveways and include SUDS features. All streets should be tree lined and include SUDs tree pits. DMURs requires street trees every 14-20 m along streets, a specific street tree planting plan should be submitted for agreement with the Public Realm.*
- vi. *The applicant should consider using additional swales with check dams closer to the source of surface water occurring instead of pipe networks. Submit a revised drawing in plan and cross-sectional view showing additional SuDS such as:*

*Green / Blue Roofs*

*Swales*

*Green areas*

*Permeable Paving*

*Grasscrete*

*Ponds*

*Other such SuDS*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

*Provide additional natural SUDS features as part of proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:*

- *Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.*

*Applicant is requested to provide clear explanations/rationale for selecting/not selecting additional natural SUDS measures: SuDS Explanatory, Design & Evaluation Guide is available on below link: [sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](#)*

The planning authority concurs with the Public Realm section's assessment of Item 7. However, due to time constraints clarification of further information cannot be requested. Therefore, it is considered that these issues be **conditioned**.

### **Item 8 requested:**

*Public Realm - Public Open Space.*

*(A) The applicant should demonstrate compliance with the following policies, objectives and guidance in the South Dublin County Development Plan 2022 - 2028: - Policy H8: Public Open Space - Section 8.4.1 in particular as it relates to public open space - Policy COS5, COS5 Objective 4, 5, 6 and 7, and Table 8.2 of the Plan, as they relate to the required provision (or contributions in lieu of) public open space.*

*(B) The revised site layout should maximise the quality of the public open space and enlarge it by way of reducing the spatial impact of access and parking arrangements.*

### **The applicant's response to Item 8:**

Item 8(A) response;

The application site is zoned RES and VC in the development plan. So, from Table 8.2, the public open space provision is a minimum of 10% of the site area. A total open space provision of 616 sq.m. is provided in the revised site layout plan which equates to 12.6% of the total site area or 15.6% of the residential zoned part of the site, which is where the residential units are proposed. It follows that this revised proposal complies with Table 8.2.

Item 8(B) response;

The revised site layout has significantly increased the public open space provision and reduced the impact of access and parking arrangements – see Drg. No. FI-01D: Proposed Site Layout Plan.



# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Assessment:

The Public Realm section has reviewed the additional information submitted and provided the following comments;

*Insufficient information has been submitted in relation to proposed open space provision with the Development. Under section 8.7.3 of the 2022-2028 CDP the overall standard for public open space is 2.4 hectares per 1,000 population. This will be applied to all developments with a residential element, such as the subject proposal.*

*Within that standard, there are specified percentages as set out in Table 8.2 which must, as a minimum, be provided on site. Under Table 8.2 the specified percentage of open space for the proposed development is a minimum of 15% of the site area.*

*The applicant is therefore requested to provide in tabular form a clear breakdown of the open space provision within the proposed development. If the applicant intends to provide the full public open space onsite, a significant redesign of the open space is required. This space should be of a higher quality, easily accessible from the public realm, pedestrian and cyclist permeable, contribute to biodiversity etc. A taking in charge drawing shall be provided showing proposed areas of public open space as part of the applicant's response.*

The planning authority concurs with the Public Realm section's assessment of Item 8. However, given the shape of the site, it is considered that the proposed shape, amount and location of the public open space is acceptable and would broadly accord with the minimum 10% requirement. Otherwise, issues raised by Public Realm should be **conditioned**.

### Item 9 requested:

*Green Infrastructure.*

*(A) In compliance with Policy GI5 Objective 4 and section 12.4.2 of the County Development Plan, the applicant is requested to submit A Green Space Factor (GSF) worksheet for the proposed development, detailing how they have achieved the appropriate the minimum Green Space Factor (GSF) scoring established by their land use zoning. The minimum required score for the 'RES' and 'VC' zones is 0.5. A worksheet can be obtained from the SDCC Public Realm Department. Developers can improve their green factor score by retaining existing landscape features and incorporating new landscape features and GI interventions. Completed Green Space Factor (GSF) worksheets should be submitted to SDCC with the Green Infrastructure Plan and Landscape Plan for a proposed development.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

*(B) In compliance with section 12.4.2 of the County Development Plan, the applicant is requested to submit a Green Infrastructure Plan which should include the following:*

- Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;*
- Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;*
- Indicate how the development proposals link to and enhance the wider GI Network of the County;*
- Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site;*
- Proposals for identification and control of invasive species.*
- an overall site summary quantifying and detailing the following: tree and hedgerow removal; tree and hedgerow retention; and new tree and hedgerow planting.*

### **The applicant's response to Item 9:**

Item 9(A) response;

The Council is referred to the Landscape Rationale and Green Infrastructure Plan by RMDA Landscape Architects that provides the GSF for the proposed development. The scheme landscape architect has also been in contact with Oisín Egan in the Council's Parks Department to discuss the GSF score and to investigate all possible options to increase the scheme's score. Our client remains fully committed to improving the GSF and is agreeable to a planning condition that requires further consultation with the Council's Parks Department to improve the GSF. The attached documents show consideration of every intervention listed in the Council's Guidance document.

As it stands, it is not possible for the scheme to meet the minimum GSF of 0.5 primarily because the site has no existing trees, hedgerows or retained open water, and nor is it proposed to provide new open water. A review of the factors for these surface types will show that all are 'multipliers' in that the factors are 1.2, 1.2, 2, and 1.5 respectively whereas the surfaces proposed all have factors below 1.0 with many 0.5 or lower. As a result, it is not possible for the proposed development to obtain the minimum 0.5 GSF even where the number of units proposed has been reduced and the open space provision and green infrastructure has been increased.

Item 9(B) response;

Applicant refers to Green Infrastructure Plan prepared by RMDA Landscape Architects.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Assessment:

The Public Realm section has reviewed the additional information submitted and provided the following comments;

### **GREEN INFRASTRUCTURE**

*The submitted GI Strategy and Plan is not acceptable to the Public Realm Section as it lacks details and does not demonstrate proposed meaningful connections to the large existing open space to the south of the development and as such is not in compliance with relevant SDCC GI Policies.*

### **GREEN SPACE FACTOR (GSF)**

*The applicant has failed to reach the minimum score needed to pass the Green Space Factor, with **a score of 0.29 when a score 0.50 is required** and is therefore not in compliance with **GI5 Objective 4**.*

*The applicant shall liaise with the Public Realm Section to determine what additional measures can be provided. Additional measures that should be considered for incorporation into the landscape design proposals in order to enhance GI, biodiversity and ecology values of the site include the following:*

- *Additional Open Space and Street Trees Planting: Street trees proposed should include SUDS features and provide bioretention and bio attenuation.*
- *Miyawaki/Mini woodland Style Planting: Consideration could be given to the inclusion of Mini-woodland Style Planting within the main open space areas – inclusion of mini woodland style planting contributes to GSF (SDCC CDP 2022-28 Policy GI5 Objective 4) and Climate Action / Tree management Strategy (SDCC CDP 2022-28 Policy GI5 Objective 3)*
- *Use of native and pollinator friendly planting – perennial planting and pollinator friendly bulb planting*
- *Tree & Plant Quantities: Increases in tree numbers and planted areas wherever possible through increases in planting density*
- *Specification enhancements with regard to biodiversity and native plants should be included in the detailed design for the site*
- *Inclusion of Bird & Bat Boxes*
- *Use of Wildflower Seed Mixes that are of native provenance.*

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

- *Improvements in the SuDS Design - applicant should seek to implement additional opportunities for bioretention and bio-attenuation, inclusion of green roofs, swales, suds trees pits etc. Any proposed swales should include check dams to improve bio-retention and should be detailed to maximise rooting space for planting. Applicant should refer to SDCC's SuDS Explanatory, Design & Evaluation Guide, which is available on below link: [sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](#)*

*As per Chapter 12 Implementation and Monitoring of the CDP 2022-2028 where the minimum GSF Score is not achieved "the Council will engage with the applicant to help determine an alternative GI solution, to ensure that the proposed development does not detract from the local environment and makes a positive contribution to local GI provision. Where site-specific constraints do not allow for adequate landscaping features in line with minimum requirements (for example, for infill development or certain brownfield sites) a developer will be permitted to provide alternative GI interventions or contributions to make up for this shortcoming, see below. Those GI measures ultimately chosen will be dictated by the site-specific context and will be subject to agreement with Council.*

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

*Compliance will be demonstrated through the submission of a Green Space Factor (GSF) Worksheet (see Chapter 12: Implementation and Monitoring, Section 12.4.2).*

The planning authority concurs with the Public Realm section's assessment of Item 9. By way of a **condition**, it is considered appropriate that the applicant is requested to submit a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the South Dublin County Council's Public Realm section, to the planning authority for agreement prior to the commencement of any development by way of a **condition**.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### **Item 10 requested:**

*Sustainable Movement - Car Parking.*

*The applicant has not provided an explanation for the provision of car parking spaces 1 to 8 to the rear of the protected structure. It is unclear if these are proposed to serve the office premises, the village in general, or a combination. The 10 spaces (sometimes counted as 9 in the applicant's documents) proposed as visitor spaces to the residential area are not in keeping with the South Dublin County Development Plan 2022 - 2028; though there may be potential for mixed function spaces which would serve complementary uses (office and residential visitors) at different times of the day. The applicant shall provide a written rationale and revised plans as necessary to address these points.*

### **The applicant's response to Item 10:**

There was previously 18 no. car parking spaces approved at this location under Reg. Ref.

SD16A/0171; this has been reduced to 13 no. spaces in this revised proposal. 5 no. spaces are identified for the existing offices, 7 no. spaces available as visitor spaces to serve both the offices and proposed residential units plus a mobility impaired space. There is no visitor parking within the residential portion of the development and there is not sufficient space even for short term on-street parking by visitors hence the necessity for residential visitor parking at the rear of the protected structure. No parking is being proposed for the village in general.

### **Assessment:**

In regard to the Roads Department on the additional information submitted and the assessment concluding that no objection with the revised proposal. The planning authority considers that **Item 10** has satisfactorily been addressed.

### **Item 11 requested:**

*Taking in Charge.*

*The applicant is requested to provide a Taking in Charge Plan to demonstrate which parts of the scheme are to be taken in charge.*

### **The applicant's response to Item 11:**

See Drg. No. FI-09 attached as requested. However, as the Council is invited to attach a planning condition in respect of taking in charge and or a management company structure because of the mix use nature of the proposal and that the uses occupy two distinct parts of the site.

### **Assessment:**

The planning authority notes the information submitted, and considers it satisfactorily addresses **Item 11**, in the event of a grant, by way of **condition**, the applicant is requested to submit to and agree in writing with the planning authority a properly constituted Owners Management Company. In addition, any areas of the proposed development intended to be offered for taking in charge by the planning authority should clearly be indicated and agreed, prior to development.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Item 12 requested:

*Archaeology.*

*(A) The applicant is requested to engage the services of a suitably qualified Archaeologist to carry out the Archaeological Impact Assessment (AIA) which should include a programme of Archaeological Test Excavation to respond to this request for Further Information. No sub-surface work shall be undertaken in the absence of the archaeologist without their express consent.*

*(B) The archaeologist shall inspect the proposed development site (PDS) and detail the historical and archaeological background of the site and the boundary walls (consulting appropriate documentary sources) and review all cartographic sources and aerial photographs for the area.*

*(C) The Archaeological Test Excavation must be carried out under licence from the Department of Housing, Planning and Local Government, and in accordance with an approved method statement; note a period of 5-6 weeks should be allowed to facilitate processing and approval of the licence application and method statement.*

*(D) Test trenches shall be excavated at locations chosen by the archaeologist, having consulted the site drawings. Excavation is to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the archaeologist shall stop works pending further advice from the Department. Please note that all features/archaeological surfaces within the test trenches are to be hand-cleaned and clearly visible for photographic purposes.*

*(E) Having completed the work, the archaeologist shall submit a written report to the Department and the Planning Authority describing the findings of the AIA and the results of the Archaeological Test Excavation. The report shall comment on the degree to which the extent, location and levels of all proposed foundations, service trenches and other sub-surface works required for the development will affect the archaeological remains. This should be illustrated with appropriate plans, sections, etc.*

*(F) Where archaeological material is shown to be present, further mitigation measures will be required; these may include refusal, redesign to allow for preservation in situ, excavation and/or monitoring as deemed appropriate*

### The applicant's response to Item 12:

The Council is referred to the attached Archaeological Impact Assessment Report by Courtney Deery that addresses this further information item. No features, finds or deposits of archaeological significance were identified during the course of test excavation.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Assessment:

The Department of Housing, Local Government and Heritage has reviewed the additional information submitted and recommended the following conditions in the event of permission granted;

### Archaeological Condition:

- 1. The developer shall engage a suitably qualified archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, and/or dredging associated with the development. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.*
- 2. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the Department of Housing, Local Government & Heritage, regarding appropriate mitigation [preservation in-situ/excavation.*
- 3. The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department of Housing, Local Government & Heritage, shall be complied with by the developer.*
- 4. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the Department of Housing, Local Government & Heritage shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.*

**Reason:** *To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.*

The planning authority considers **Item 12** has been addressed and considers it appropriate to apply the recommended **conditions** listed above.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Item 13 requested:

*Village Amenities.*

*The proposed development does not include any public realm improvements to the front of the site, on Main Street, Rathcoole. The applicant is requested to propose public realm improvements and to provide an urban design rationale for their proposals, as part of additional information. The County Development Plan envisages some coordination between developers and the council, and this can be incorporated into a condition of permission, as necessary. The applicant should demonstrate that the scheme complies with or can support the following policies and objectives of the County Development Plan: - Policy NCBH23 Objectives 3, 4, 5, and 6; - Policy QDP3 objective 2; - Policy QDP6 objectives 2, 3 and 5; - Policy EDE13 Objective 2; - Policy SM2 Objectives 12 and 17; and - Policy SM7 Objective 7.*

### The applicant's response to Item 13:

Having regard to the various provisions of these policy objectives and in order to enhance the public realm between the protected structure and Main Street, this response sets out revised proposals at the front of the site – see Drg. No. FI-04D by Collins Maher Martin Architects. The revised public realm includes new boundary treatment, new landscape works with seating, and an alternative treatment to the existing red brick low wall directly in front of the protected structure. In addition, a new surface paving is proposed to replace the current macadam finish. A different treatment is proposed for the access and egress to the proposed development. It is submitted that this is an enhancement on the previously approved treatment that addresses the overall public realm enhancement requirement from the above policy objectives.

It was not considered appropriate to provide any form of parking in front of the protected structure as that would detract from the setting of the building and impact on the safe and free movement of vehicles in and out of the proposed development. All proposed parking is to the rear.

The Council is invited to address any further revision to this revised proposal for the public realm by way of planning condition as intimated in the further information item.

### Assessment:

With regard to the information submitted in response to **Item 13**, it is considered that the ACO has addressed these concerns in the recommended conditions listed under the assessment of **Item 1**. The planning authority considers that subject to the recommended conditions provided by the ACO, Item 13 can satisfactorily be addressed by **condition**.



# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### **Item 14 requested:**

*Irish Water.*

*The applicant is requested to submit a Confirmation of Feasibility from Irish Water with regard to both water supply and wastewater connections for the proposed development.*

### **The applicant's response to Item 14:**

By way of response, a letter from Irish Water confirms that the proposed development can be facilitated at this moment in time.

### **Assessment:**

Following the discussions held between the applicant and Irish Water. The planning authority considers that **Item 14** has been satisfactorily addressed, subject to the recommended **conditions**.

### **Item 15 requested:**

*Noise.*

*The site is located within the Significant Noise Boundary of Casement Aerodrome. The principles of residential development is not contested at the site; however, appropriate noise assessment should be undertaken and mitigation measures to protect residential amenity should be proposed by way of additional information.*

### **The applicant's response to Item 15:**

By way of response, the applicant has submitted an Acoustic Design Statement, prepared by Redkite Environmental, dated July 2023.

### **Assessment:**

The submitted Acoustic Design Statement concludes; *the site is considered to be low risk in terms of transportation noise exposure to future residents and is at or lower than the WHO Guidelines for aircraft noise.* The planning authority considers **Item 15** has been addressed, a **condition** is recommended requiring the proposed development to fully implement the mitigation measures specified in Section 8.1 of the supporting Acoustic Design Statement.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Other Considerations

#### Development Contributions Assessment Overall Quantum

- As indicated in drawing no. FI-01D and FI-05D, the applicant has submitted revised schedule of accommodation as per any revisions to the proposed development that now comprises 11 no. dwellings.
- The original application sought permission for 12 no. dwelling, as stated on application form; comprising a gross floor space comprising 1675.76 sq.m.
- With regard to these revisions, the proposed gross floor area for the proposed 11 no. dwellings comprises 1548.78 sq.m (8 no. dwellings at 146.28 sq.m and 3 no. dwellings at 126.18 sq.m)
- Assessable area is **1548.78 sq.m.**

Development Contributions	
Planning Reference Number	SD22A/0323
Are any exemptions applicable?	No
If yes, please specify:	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
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	€119.10
Area of Development (m2)	1548.78
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	1548.78
Total development contribution due	€184,459.70

**1548.78 sq.m. x €119.10 (rate per metre for residential) = €184,459.70 = Financial Contribution due.**

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### Security – Cash and Bond

<b>ASSESSMENT OF SECURITY BONDS 2022</b>			
<b>Dwellings</b>	<b>NO OF UNIT</b>	<b>CASH</b>	<b>BOND</b>
<b>1-20</b>	<b>11</b>	<b>€6,994</b>	<b>€8,043</b>
<b>21-50</b>		<b>€4,896</b>	<b>€5,630</b>
<b>51+</b>	<b>0</b>	<b>€2,798</b>	<b>€3,217</b>
<b>TOTAL DWELLING</b>	<b>11</b>	<b>€76,934.00</b>	<b>€88,473.00</b>
<b>TOTAL SECURITY CALCULATION</b>		<b>€76,934.00</b>	<b>€88,473.00</b>

### Conclusion

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, it is considered that, subject to the conditions set out below, the proposed development would comply 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.

### **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.
  - a) 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 7th of July 2023, save as may be required by the other conditions attached hereto.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

- b) The pedestrian/cycle connection route to the site to the south shall be implemented in full prior to occupation of any dwelling.
- c) Prior to the commencement of development, revised drawings shall be submitted to the Planning Authority for written agreement showing the orientation of the northermost house (adjacent to the public open space) to have its front door adjacent to the public open space (on north elevation) and this agreed change shall be implemented in full on site.
- REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

### 2. Landscape Plan and Sustainable Urban Drainage Systems (SUDS)

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority,

(a) The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section, including:

- i. a comprehensive Landscape Design Rationale which describes the proposed landscape and external works as part of this proposed housing development.
- ii. a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.
- iii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.
- iv. play and recreation opportunities for children and teenagers as appropriate to the scale and character of proposed development. Proposals shall be submitted in the form of a Proposed Play Rationale and Layout Plan (separate to, but related to the Landscape Masterplan), using Nature-based Solutions. The Layout Plan shall comprise the following:-
  - showing types of play and play area(s),
  - target age groups,
  - design and construction details of play opportunities and facilities in respect of landform, planting, boundaries, equipment and safety surface.
  - All play equipment and ancillaries shall conform to European Standards EN 1176 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height).
- v. Street trees shall be provided fully in Public Realm areas and not within private or management company driveways and include SUDS features. All streets should be tree lined and include SUDs tree pits. DMURs requires street trees every 14-20 m along streets, a specific street tree planting plan should be submitted for agreement with the Public Realm.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

vi. The applicant should consider using additional swales with check dams closer to the source of surface water occurring instead of pipe networks. Submit a revised drawing in plan and cross-sectional view showing additional SuDS such as:

- Green / Blue Roofs
- Swales
- Green areas
- Permeable Paving
- Grasscrete
- Ponds
- Other such SuDS

(b)

- Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.

The applicant shall provide clear explanations/rationale for selecting/not selecting additional natural SUDS measures: SuDS Explanatory, Design & Evaluation Guide is available on below link: [sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](#)

REASON: To ensure that the development complies with the policies and guidelines as outlined in South Dublin County Council's Development Plan, SuDs Explanatory Design and Evaluation Guide.

### 3. Green Space Factor

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority, details of proposals to increase the proposed GSF from 0.29 to 0.5 in order to comply with the Green Space Factor as outlined in the South Dublin County Development Plan 2022-2028.

REASON: To ensure that new development makes a positive contribution to the local environment with respect to biodiversity, amenity, air quality, stormwater management, temperature regulation and other ecosystem services.

### 4. Existing Trees and Hedgerows

Prior to the commencement of development the applicant/developer shall submit an up to date Tree Survey for the site area prepared by a suitably qualified Arboriculturist in accordance with British Standard 5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations': The information required to be provided as part of the tree survey includes:

- (i) Arboricultural impact assessment
- (ii) Arboricultural method statement
- (iii) Tree retention / removal plan
- (iv) Tree protection plan

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

REASON: In the interest of visual amenity and of protection of existing trees and hedgerows and to ensure the continuity of amenity afforded by existing trees and hedgerows.

### 5. Architectural Heritage.

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority, the following;

(a) Appropriate measures as detailed in the further information submission should be put in place in order ensure the Protected Structure is safeguarded and protected at all times during the proposed development and proposed construction. A buffer zone should be set and marked around the perimeter of the Protected Structure ensuring that no construction vehicles or equipment are operated within the zone of protection. In addition, a Construction Management Plan should be submitted for agreement and approval on final details of protective measures for the Protected Structure.

(b) It is noted that the landscaping to the front of the Protected Structure is detailed in the response which refers to the proposed landscape plan, however it is considered that the front site and setting of the protected structure still lacks soft landscaping and therefore the design for this area should be revised in order to provide for a greater level of soft landscaping to improve the setting of the protected structure and streetscape setting within the ACA.

- The proposed railing design is shown as a parkland railing on the landscape drawings, however it is shown on the revised survey drawings as a more ornate railing type. Final details are required to confirm the proposed boundary treatment which will provide the boundary along the front site of a protected structure. Currently the overall design and boundary treatment does not reflect the overall context within the ACA with regard to providing a more appropriate boundary treatment and setting.

- It is also considered that the existing brick wall to the Main Street and front site of the Protected Structure does not provide an appropriate boundary at this location and therefore the existing wall should be rendered to match the finish of the protected structure and new pier proposed at the entrance to the new development. The applicant should be reminded that building materials should reflect the building materials/building stock found within the ACA.

- Full details and materials/finishes should be submitted for agreement and approval by the Councils Architectural Conservation Officer prior to commencement of works. Details should include a profile for the proposed railing design at this location and a Schedule of Materials to include images in relation to the materials and planting.

(c) The proposed dwellings are modern in form and design, however the materials and finishes should be revised to take account of the site context and reflect the existing materials and building stock within the Architectural Conservation Area of Rathcoole Village. A more modest modern design is required using simple materials and colour palette given its location to the rear of a Protected Structure and within a rural village.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

Revised design elements and the use of materials which reflects the design rationale and site context in providing a high quality housing development at this location should be submitted for written agreement. A schedule of materials should be included and should be sensitive in terms of finishes within an Architectural Conservation Area.

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.

### 6. Archaeological Conservation

Prior to the commencement of development:

(a) The applicant/developer shall engage a suitably qualified archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, and/or dredging associated with the development. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.

(b) Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the Department of Housing, Local Government & Heritage, regarding appropriate mitigation (preservation in-situ/excavation).

(c) The applicant/developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the Department of Housing, Local Government & Heritage, shall be complied with by the developer.

(d) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the Department of Housing, Local Government & Heritage shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

REASON: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

7. Roads.
- (a) All items and areas for taking in charge shall be undertaken to a taking in charge standard.
- (b) Prior to development the applicant shall submit the following for the written agreement of the Planning Authority:
- construction details of all items to be taken in charge.
  - a developed Construction Traffic Management Plan
  - a developed Construction Waste & Demolition Plan
  - a Public Lighting Design
- (f) Any road sign proposed and or to be installed shall comply with most up to date Chapter 5 (REGULATORY SIGNS) of the Traffic Signs Manual.
- REASON: In the interests of traffic and pedestrian safety.
8. Irish Water Connection Agreement.
- (a) Prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water. - All development shall be carried out in compliance with Irish Water Standards codes and practices.
- (b) Prior to the commencement of development the applicant or developer shall enter into a foul connection agreement(s) with Irish Water.- All development shall be carried out in compliance with Irish Water Standards codes and practices.
- REASON: In the interest of public health and to ensure adequate water/wastewater facilities.
9. 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.
- REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.
10. 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



# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

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.

### 11. Water and Drainage

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) The applicant/developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

(c) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

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.

### 12. Council Housing Strategy.

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,

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

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.

### 13. Significant Noise Boundary.

The proposed development will fully implement the mitigation measures specified in Section 8.1 of the supporting Acoustic Design Statement submitted as further information.

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, and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

### 14. Taking-in-charge/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.

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:

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

(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.

### 15. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €184, 459.70 (one hundred and eighty-four thousand, four hundred and fifty-nine euro and seventy cent), 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 Act 2000 (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](mailto:customerservice@water.ie).

# Comhairle Chontae Atha Cliath Theas

PR/0905/23

## Record of Executive Business and Chief Executive's Order

### 16. Cash Deposit/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 €76, 934.00 (seventy-six thousand, nine hundred and thirty-four 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 €88, 473.00 (eighty-eight thousand, four hundred and seventy-three euro) (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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0905/23**

## **Record of Executive Business and Chief Executive's Order**

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

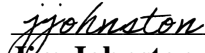
**Comhairle Chontae Atha Cliath Theas**

**PR/0905/23**

**Record of Executive Business and Chief Executive's Order**

**REG. REF. SD22A/0323**

**LOCATION: Main Street, Rathcoole, Co. Dublin**

  
\_\_\_\_\_  
**Jim Johnston,**  
**Senior Executive 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:** 03 August 2023

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