

Comhairle Chontae Atha Cliath Theas

PR1252/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0412 **Application Date:** 01-Nov-2022
Submission Type: Additional **Registration Date:** 26-Sep-2023
Information

Correspondence Name and Address: Downey Planning 29, Merrion Square, Dublin 2,
D02RW64

Proposed Development: Social housing development consisting of 10 one bed units in a two to three storey apartment building, associated car parking and bicycle parking, bin store, water pump house, new vehicular access onto Old Nangor Road, new pedestrian access onto Old Nangor Road, landscaping, boundary treatments, public lighting and all associated site and engineering works necessary.

Location: Lands at, Old Nangor Road, Clondalkin, Dublin 22

Applicant Name: Dublin Simon Community

Application Type: Permission

(EW/COS)

Description of Site and Surroundings

Site Area: stated as 0.121 Hectares on the application form.

Site Visit: 30th of November 2022.

Site Description

The site is located on the southern side of the Old Nangor Road, approximately 300m northwest of the centre of Clondalkin Village. To the west is a Sports and Social Club, to the south a Jehovah's Witness Hall and immediately to the east are two semi-detached cottages, the closer of which is a Protected Structure (RPS Ref. 136 Riverside, Nangor Road, Clondalkin). On the opposite side of the road (east) of the site is a row of terraced two storey residential houses known as Leinster Terrace. The front boundary is delineated by a stone wall and entrance. The site is relatively level and is overgrown. A stone wall is the divisional boundary between the site and the social club with intermittent trees.

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Proposal

Permission is sought for the construction of a social housing development consisting of 10 one bed units in a two to three storey apartment building, associated car parking and bicycle parking, bin store, water pump house, new vehicular access onto Old Nangor Road, new pedestrian access onto Old Nangor Road, landscaping, boundary treatments, public lighting and all associated site and engineering works necessary.

Zoning

The subject site is zoned Zoning Objective 'TC': *'To protect, improve and provide for the future development of Town Centres'* under the 2022-2028 CDP.

Consultations

Water Services	Refusal Recommended.
Irish Water	Additional information requested.
Roads Department	Additional information requested.
Public Realm	Additional information requested.
Forward Planning	No report received at the time of writing this report.
Architectural Conservation Officer	No report, refer to previous report.
Housing Department	No objection subject to conditions.
H.S.E. EHO	No objection subject to conditions.

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

- Aviation layers Outer Horizontal Surfaces for Dublin, Inner Horizontal Surface for Casement, and Bird Hazards.
- Riparian Corridor
- Partly overlaps with the Clondalkin Architectural Conservation Area
- Adjoins Protected Structure Ref. 136 Riverside, Nangor Road, Clondalkin Semi-Detached Five Bay Two Storey House
- Adjoins NCBH20 SLO 1: To investigate the purchase and development of the old RIC Barracks on the Old Nangor Road which is a Protected Structure within the present Architectural Conservation Area (ACA).
- Record of Monument
- Overlaps with Flood Zones A and B

Submissions/Observations/Representations

Third party submissions closed the 5th of December 2022. None received.

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Relevant Planning History

Subject site

SD16A/0450 & SD16A/0450/EP

A social housing development comprising of 10 one bed units in a three-storey apartment building, associated car parking and bicycle parking, bin store, new vehicular access onto Old Nangor Road, new pedestrian access to replace existing vehicular entrance, landscaping, boundary treatments and all associated site and engineering works necessary to facilitate the development. **Permission granted. Not implemented. Extension of duration of permission refused.**

Relevant conditions:

2. *The drainage infrastructure, including the disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section and/or Irish Water as appropriate. In this regard, no development shall take place until the following serious concern is addressed: - It is not clear where surface water will discharge to from site. The applicant originally showed the surface water connecting to a foul drain which is not correct. The applicant now shows surface water stopping at a surface water manhole and not going anywhere which is also not correct. The surface water will pond on site without a discharge point which would be prejudicial to public health and proper planning.*

Therefore, no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority:

- (1) Fully detailed revised plans detailing and providing for all the requirements set out below, along with;*
- (2) The written confirmation of the Council's Water Services Section and or Irish Water of their agreement to these revised plans, and;*
- (3) A written commitment to carry out the development in accordance with the required revised plans and;*
- (4) The receipt for all these requirements has been acknowledged in writing by the Planning Authority. The revised detailed plans required to be lodged with the Planning Authority shall provide for all of the following;*
 - (a) Fully detailed foul and surface water drainage plans for the proposed development showing location of all manholes, AJs etc. located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or Irish Water,*
 - (b) A surface water layout drawing showing where the surface water system will discharge from site and where surface water will connect to public sewer or discharge point to a stream.*
 - (c) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.*

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- (d) All drainage works for this development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from <http://environment.southdublin.ie> (click-publications then specifications) or the requirements of Irish Water (as may be amended from time to time).*
 - (e) All floor levels shall be a minimum of 500mm above the highest known flood level for the site.*
 - (f) All pre-cast manholes shall have a minimum thickness surround of 150mm Concrete Class B.*
 - (g) Prior to commencement of development, contact the Area Engineer, Deansrath Depot to agree the foul drainage layout and connection, and the watermain layout, booster pumps and connection.*
 - (h) All works shall comply with the Building Regulations 2010 Technical Guidance Document B and the Irish Water Standard Details, (mandatory for all Irish Water Connection Agreement Offers issued after 6th June 2016 and available at <http://www.water.ie/help-centre/connections>). REASON: In the interests of public health, safety and in order to ensure adequate and appropriate water supply and drainage provision.*
- 3. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority:*
- (1) Fully detailed revised plans detailing and providing for all the requirements set out below, along with;*
 - (2) The written confirmation of the Council's Road's Department agreement to these revised plans, and;*
 - (3) A written commitment to carry out the development in accordance with the required revised plans and;*
 - (4) The receipt for all these requirements has been acknowledged in writing by the Planning Authority. The revised detailed plans required to be lodged with the Planning Authority shall provide for all of the following;*
 - (i) The removal of the entrance gates from the proposed development.*
 - (ii) A management plan to manage car parking demand associated with the development to ensure that there is not an overspill of car parking onto the public road and footpath outside the application site.*
 - (iii) Existing utilities pole at the front boundary to be relocated at the applicant's own expense. Any works to existing utilities located in the footpath to be at the applicant's own expense.*
 - (iv) Footpath and kerb shall be dished and shall be constructed to the satisfaction of South Dublin County Council and at the applicant/developer's expense. Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin*

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County Council, Roads Maintenance Department. Under this Act, non-compliance constitutes an offence.

REASON: In the interest of traffic and pedestrian safety and the proper planning and sustainable development of the area.

6. The two pockets of communal open space located to the northwest and southwest of the development should not be delineated as communal space.

In this regard no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

- (i) An agreement in writing with the Council's Planning Department as to the boundary treatment for these proposed spaces and the incorporation of the spaces into the private amenity space for the proposed ground floor apartments.*
- (ii) A commitment to complete the development in accordance with the required revised plans.*
- (iii) All of the above requirements have been lodged with and have been acknowledged by the Planning Authority.*

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

SD05A/0370

Apartment building containing 6 no. two bedroom apartments and 1 no. one bedroom apartment with associated car-parking, boundary treatment, landscaping and all associated site development works with access/egress to Old Nangor Road. **Permission granted. Not implemented.**

SD03A/0978 & ABP Ref. PL 06S.206553

An apartment building of 9 No. two bedroom apartments with associated carparking and site works.

Permission refused by SDCC and ABP.

Adjoining and surrounding sites

SD11A/003 Adjoining club house and lands.

Demolition of existing club house, re-configuration of existing pitch and putt course and the construction of new 499sq.m. clubhouse, footbridge and 56no. car parking spaces, with a new entrance from Old Nangor Road and associated landscaping and ancillary works, all consequent to the proposed development of the Metro West rail line. **Permission granted. This permission does not appear to have been implemented.**

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SD22A/0038 Lands to the south-west of the club house lands.

Alterations to the elevations relating to planning number SD18A/0271 and as amended by further information received on the 19th December 2018. **Permission granted. Currently under construction.**

SD18A/0271 Lands to the south-west of the club house lands.

Construction of a community housing scheme for the elderly arranged in 4 blocks of 1-5 storeys with lower ground floor entry level to Blocks A, B and C. The scheme will comprise 99 1-2-bedroom apartments consisting of 76, 1-bedroom, 21 2-bedroom and 2 studio apartments for visitors with northwest, southwest, southeast and northeast facing balconies/terraces, ancillary areas including plant/stores to Blocks A and C, communal areas/facilities, and entrance lobby in

Block B (c.194sq.m) and bin storage and plant room in Block D (c.106sq.m), lobby, stair, and lift access throughout.

All associated site development works, services provision, drainage, new pedestrian and vehicular access, car and bicycle parking, roof plant including photovoltaic panels, ESB cabinet, open space, landscaping, and boundary treatment works. The total gross floor area of the proposal is c8,229sq.m. This site of c.0.9986ha is on part of the former Clondalkin Paper Mills Pitch and Putt Club lands, Mill Lane, off the Old Nangor Road. The subject site is bounded to the north by the River Camac, to the south by Mill Lane to the east by the Kingdom Hall of Jehovah's Witnesses and pitch and putt clubhouse/bar known as 'The Glue Pot' and to the west by Clondalkin Leisure Centre. **Permission granted. Currently under construction.**

SD18A/0388 Site on corner of Old Nangor Road and Sally Park Lane

Construction of a new part 2, 3 and 4 storey apartment development with 12 units; 4 two bed units, 7 one bed units and 1 studio unit; 1st, 2nd and 3rd floor roof gardens and recessed balconies at 1st, 2nd and 3rd floor onto Mill Lane; 12 car parking spaces and 18 bicycle spaces at ground floor level with a landscaped deck above; vehicular access to site with at Mill Lane and associated landscaping and site works at junction of Mill Lane and Leinster Terrace.

Permission granted.

Relevant Enforcement History

None identified in APAS.

Pre-Planning Consultation

None identified in APAS.

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

Policy NCBH1: Overarching

Policy NCBH2: Biodiversity

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

Policy NCBH20: Architectural Conservation Areas

Preserve and enhance the historic character and visual setting of Architectural Conservation Areas and carefully consider any proposals for development that would affect the special value of such areas.

NCBH20 Objective 3:

To ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area (ACA) preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.

NCBH20 Objective 4:

To address dereliction and to welcome, encourage and promote appropriate and sensitive reuse and rehabilitation of buildings, building features and sites within Architectural Conservation Areas.

NCBH20 Objective 8:

To ensure that all planning applications for new developments within or immediately contiguous to an ACA include an Architectural Impact Assessment and Design Rationale addressing design considerations such as urban structure and grain, density and mix, scale, height, materials, landscape, views and landmarks and historic development.

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

NCBH21 SLO 1:

To protect and maintain the remaining old stone walls of Clondalkin.

Policy GII: Overarching

GII Objective 4:

To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial, and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage, and enhance GI resources providing links to local and countywide GI networks.

Policy GI2: Biodiversity

GI2 Objective 4:

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

Implementation and Monitoring and the policies and objectives of this chapter.

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Policy GI3: Sustainable Water Management

GI3 Objective 1:

To ensure that hydromorphological assessments are undertaken where proposed development is within lands which are partially or wholly within the Riparian Corridors identified as part of this Development Plan.

GI3 Objective 2:

To require development proposals that are within riparian corridors to demonstrate how the integrity of the riparian corridor can be maintained and enhanced having regard to flood risk management, biodiversity, ecosystem service provision, water quality and hydromorphology.

Policy GI4: Sustainable Drainage Systems

GI4 Objective 1:

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

Policy GI5: Climate Resilience

Policy QDP1: Successful and Sustainable Neighbourhoods QDP1 Objective 3:

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

QDP1 Objective 4:

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

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP6: Public Realm

QDP6 Objective 3:

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

Policy QDP7: High Quality Design – Development General Policy

Policy QDP7: High Quality Design – Street Frontage

Policy QDP7: High Quality Design – Street Width and Height Policy

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Policy QDP7: High Quality Design – Adaptability and Inclusivity

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

QDP8 Objective 2:

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

Policy QDP9: High Quality Design - Building Height and Density

Policy QDP10: Mix of Dwelling Types

Policy QDP11: Materials, Colours and Textures Policy

Policy EDE8: Retail – Overarching

Policy EDE11: Retail - Clondalkin Town Centre

Maintain and enhance the retailing and service function of Clondalkin, ensuring the town's vitality as a Level 3 Town Centre within the County.

EDE11 Objective 3:

To promote and encourage the enhancement and development / redevelopment of the identified retail / mixed use opportunity and other sites in the Core Retail Area of Clondalkin, including the Mill Centre lands, ensuring connectivity between sites and the town centre, to serve the established and growing catchment population.

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

H1 Objective 12:

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

- there are unique site constraints that would prevent such provision; or*
- that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or*
- the scheme is a social and / or affordable housing scheme.*

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

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Policy H7: Residential Design and Layout
Policy H8: Public Open Space
Policy H9: Private and Semi-Private Open Space
Policy H10: Internal Residential Accommodation
Policy H11: Privacy and Security
Policy H13: Residential Consolidation

Policy SM2: Walking and Cycling
Policy SM7: Car Parking and EV Charging

Policy COS5: Parks and Public Open Space – Overarching

Policy E3: Energy Performance in Existing and New Buildings
Policy IE2: Water Supply and Wastewater

Policy IE2: Water Supply and Wastewater
Policy IE3: Surface Water and Groundwater
IE3 Objective 2:

To maintain and enhance existing surface water drainage systems in the County and to require Sustainable Drainage Systems (SuDS) in new development in accordance with objectives set out in section 4.2.2 of this Plan including, where feasible, integrated constructed wetlands, at a local, district and County level, to control surface water outfall and protect water quality.

Policy IE4: Flood Risk
Policy IE7: Waste Management
Policy IE8: Environmental Quality

12.3.1 Appropriate Assessment
12.3.2 Ecological Protection
12.3.3 Environmental Impact Assessment
12.3.8 Architectural Conservation Areas
12.4.2 Green Infrastructure and Development Management
12.4.3 Riparian Corridors
12.5.1 Universal Design
12.5.2 Design Considerations and Statements
12.5.4 Public Realm: (At the Site Level)
12.6.1 Mix of Dwelling Types
12.6.7 Residential Standards
12.6.10 Public Open Space
12.7.1 Bicycle Parking / Storage Standards
12.7.4 Car Parking Standards

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12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

Relevant Government Guidelines

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

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

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

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

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage, and Local Government, (2009).

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

Sustainable Urban Housing: Design Standards for New Apartments, Department of Housing, Local Government and Heritage, (2020). As amended in 2023.

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

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

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

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Assessment

The main issues for assessment relate to:

- Planning History;
- Zoning and Council Policy;
- Part V Provision;
- Conservation;
- Density, Height, and Mix;
- Visual and Residential Amenity;
- Open Space;
- Access and Parking;
- Green Infrastructure and Landscaping;
- Infrastructure and Environmental Services;
- Waste Management;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Planning History

A social housing unit of similar scale and building footprint was previously granted at the subject site comprising of 10 one bed units in a three-storey apartment building, associated car parking and bicycle parking, bin store, new vehicular access onto Old Nangor Road. Permission was granted and not implemented. Extension of duration of permission refused under new legislation and given works had not started onsite within appropriate time-period.

Zoning and Council Policy

Land Use Zoning

The subject site is zoned Zoning Objective 'TC': *'To protect, improve and provide for the future development of Town Centres'* under the 2022-2028 CDP. 'Residential' is Permitted in Principle under the TC zoning. The site is located within the Clondalkin Town Centre Core Retail Area.

Architectural Conservation

A report was not available from the Conservation Officer. However, a similar proposal was submitted under SD16A/0450 & SD16A/0450/EP, and Additional Information concerns were addressed and submitted on 17th May 2017. Therefore, the applicant was deemed to have addressed the Items of concern by the Conservation Officer, and they were considered acceptable. The main concerns are noted below:

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Boundary Wall

The site in question is immediately outside the Architectural Conservation Area for Clondalkin. The site is also adjacent to a Protected Structure (Riverside House, RPS Ref. 136). The boundary wall, although not protected, does adjoin the front boundary of the protected structure, and contributes to the character of the adjoining designated ACA with regards to its streetscape value.

I would advise that a method statement should be provided with the formal planning application to provide specific details on how the wall will be dismantled and reinstated adhering to good conservation principles using the correct methods and materials."

A stone wall and entrance delineate the front boundary. Under the submitted drawing, retention of the existing stone boundary wall, which forms the front boundary of the site onto Old Nangor Road, is noted. The applicant proposes a portion of the existing front wall boundary be retained and carefully protected with newly rebuilt walls and piers. **Additional information** is required with regards to the boundary wall to be retained, details of which will be discussed further in the below assessment.

Proximity to protected structure.

The proposed development as detailed above is in close proximity to the protected Structure, Riverside House, RPS Ref. 136 as Riverside House sits within the neighbouring site. The boundary of Clondalkin ACA runs along the site boundary line of the protected structure site and the adjoining proposed development site. The proposed apartment building is two-storey along the Old Nangor Road, but the height of this element exceeds the height of the adjoining protected structure.

The three-storey element has been set back from the road to the rear of the site, it is acknowledged that a variation of height, set-backs and materials have been provided, however the protected structure is a two-storey dwelling and therefore the overall height of the proposed apartment building completely dominates the streetscape at this location and directly impacts on the protected structure by virtue of its scale and height. The proposed apartment building is located less than 5m from the rear elevation of the protected structure, adding to the overall negative visual impact.

The separation distance provided is considered to be minimal in this regard and therefore needs to be addressed.

The distance to the Protected Structure building would be c. 5.5m. The applicant illustrates that the third floor is recessed back with a cladded roof, and on the second floor, the applicant prevents overlooking of the site with a privacy screen of 1.8m in height.

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At the closest point, the building is located 5.281 metres from the boundary between the site and the protected structure to the east (the height of the proposed development) is 6 metres (2-storey element) at this point. The separation distance is considered to be sufficient from the protected structure.

Materials

A design rationale has been provided with regard to the different elements of the proposed building and it is noted that good quality materials are proposed. The location of the proposed development site along the boundary of the Architectural Conservation Area means that any development within this site will have an impact on the character of the ACA by virtue of its close proximity to the historic building stock. It is considered that in order to minimise any impacts the palette of materials proposed should reflect the dominate materials of the existing buildings located along the Old Nangor Road, this includes red brick (limited use), stone, granite, limestone, and render. The existing shared palette of materials found within the existing building stock should be reflected more adequately within any newbuild at this location.

A mix of materials is proposed comprising selected brick, metal cladding to the third floor and painted render. In addition, metal and opaque glass screens are provided for the balconies. The Architectural Conservation Officer stated that the palette of materials proposed should reflect the dominant materials of the existing buildings located along the Old Nangor Road; this includes red brick (limited use), stone, granite, limestone, and render. Therefore, the subject proposal is considered acceptable to the requirements of the Architectural Conservation Officer. In the event of a grant of permission, the applicant will be required by Condition to submit a schedule of materials and finishes to the Planning Authority, for agreement.

Part V Provision

The Housing Department have reviewed the proposed development and state the following: *I refer to the above proposed new planning application on the above site which is subject to a former grant of permission under SD16A/0450 and wish to confirm that as the development consists of the provision of social housing units by an Approved Housing Body (AHB) and in the case where the AHB is the applicant section 96(13) does not apply.*

Density, Height, and Mix

Residential Density

The proposed 10 no. apartments on an approx. 0.121ha site equates to a residential density of approx. 82.6 units per ha. The site is located within a zoned Town Centre, proximate to local shops and facilities within this centre and public transport. It is therefore considered that the site can accommodate a higher residential density, subject to an appropriate standard of accommodation and high-quality design.

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Building Heights

The proposed building would be two to three storeys in height. The proposed apartment block comprises a part 2-storey, part 3-storey building with a height of 9.935 metres (3-storey element), stepping down to 6 metres (2-storey element).

Policy QDP8 Objective 2 states to proactively consider increased heights on lands zoned TC, where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of South Dublin County's Building Height and Density Guide that it is contextually appropriate to do so.

It is considered that the site, given its location and accessibility, could accommodate increased heights. The existing building heights adjoining or in proximity to the site are arranged in 4 blocks of 1-5 storeys to the west and is in use as community housing scheme for the elderly. To the southeast site corner of Old Nangor Road and Sally Park Lane, construction is being carried out for part 2, 3 and 4 storey apartment development with 12 units. On the opposite side of the road (east) of the site is a row of terraced two-storey residential houses known as Leinster Terrace. It is considered that the proposed building heights are consistent with the context of the surrounding area.

The proposed building is to be set back 24.5 metres from the entrance to the site, which is a further 11 metres set back from the terrace of the dwelling located on the opposite side of Old Nangor Road. The three-storey element of the building has been set-back from the road to the rear.

(southwest), and the front two-storey projection has a height of 6 metres (northeast). Therefore, the distance between the terrace and the three-storey element would be circa 40m which is acceptable.

In principle and with regard to the existing development pattern, the Planning Authority considers that the subject site can accommodate the proposed building heights at this location.

Unit Mix

The unit type of all the proposed apartments would be 1 bedroom. Policy H1 Objective 12 of the CDP requires a minimum of 30% 3 bed units, a lesser provision may be acceptable where it can be demonstrated that '*the scheme is a social and / or affordable housing scheme*'. The proposed development does not include any 3 bed units. However, the proposal is for a social housing development, which is considered acceptable given the above exception. The proposed mix is therefore considered to be in compliance with Council policy.

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Visual and Residential Amenity

The site is located within a town centre and with a TC zoning. Development proposals for higher density developments are welcomed in principle in such locations provided they are responsive to surrounding areas in terms of design and visual impact. The proposed development has been designed to be well setback from the Old Nangor Road (c. 24m) and from the row of existing two- storey houses to the east. The building form takes a stepped approach and drops to c. 6 metres in height to the south and in proximity to the protected structure. The proposed finishes are acceptable, with the provision of various materials, including select red and yellow brick with metal cladding on the upper floors and at selected balconies and windows to the southeast to create visual interest. The proposal is generally responsive to the visual constraints of the site through a setback from the Old Nangor Road, respecting the adjacent terraced dwellings and protected structure with an ACA, stepping from two to three storeys at this more sensitive main road frontage. The proposal is considered to be therefore acceptable in terms of visual and residential amenity.

Existing Residential Amenity

Amenity of Future Occupiers

Table 3.21 of the County Development Plan and the 2020 Apartment Guidelines set minimum space standards for apartments. The floor plans indicate that all the apartments are above the minimum apartment size required for one-bedroom units (45sq.m). The apartments range from 50sq.m to 62.7. In addition, all the apartments meet or supersede the one-bedroom standards for aggregate floor/living dining space (23 sq.m), bedroom sizes (11.4 sq.m) and storage space (3 sq.m). Finally, it is noted that all of the apartments exceed the minimum floor area standard by a minimum of 10% in accordance with the Apartment Guidelines.

Layout/Orientation

The apartments are all dual aspect. The north-facing ground floor apartment 2 is located in close proximity (4.8 metres) to the boundary wall to the north; however, it has notably greater proximity at circa 5m to the western boundary, which will allow the sun into the properties, especially on the ground floor. Apartment 1 benefits from a more extensive (7.3 metres) proximity to the western boundary with a varying 2.7m to 4.6m south-facing boundary proximity: apartments 3 and 4 predominantly benefit from dual east-facing aspects.

It is noted that all windows to apartments are external windows with no internal circulation. Communal common corridor windows exist in the upper floors. The external windows that include two ground and first floor side bay window in apartments 3 and 7 provide sufficient light to all habitable rooms including bedrooms. This is acceptable in terms of standards for apartments.

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Private Amenity Space

All apartments meet the 2020 Apartment Guidelines set out minimum private open space standards for apartments, including the patio areas for the ground floor apartments.

In the case of apartment no. 3 and 4, amenity space is directly adjacent to the semi-private communal open space to the front of the building, separated by a steel railing. This is considered the only useable communal space provided in the scheme, which could impact the residential amenity of the two apartments, given the proximity to their private amenity area.

The Apartment Guidelines state that 'whilst private and communal amenity space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or 'privacy strip' between the two.' The proposed development boundary treatment and/or 'privacy strip' should be revised to provide distinctly private and usable communal open space in accordance with the Sustainable Urban Housing: Design Standards for New Apartments (2020) and South Dublin County Development Plan 2022-2028, this can be sought by

Additional Information.

Design and Visual Impact

The proposed external finishes would be red and yellow/buff facing brick, metal standing seam cladding, sand/cement render and painted metal balconies. While the proposed development does not require a full design statement under the CDP (10 no. residential units), a contemporary intervention at the site is acceptable in principle, this should be of a high-quality design and finish. The site is approx. 0.121 Hectares in size and requires some visual integration and landscape softening with the surrounding area, this shall be discussed further below.

Open Space

Communal Open Space

The plans indicate semi-private amenity space to the front of the building. This is considered to be external circulation space for the proposal and not usable communal open space. The pockets of land to the north and southeast side of the building are not considered to be of a high standard given they are located between the boundary wall and the existing building and could have a negative impact on the residents of those living in the ground floor units. It is considered that in the event of a grant of permission these spaces should not be delineated as communal space.

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Public Open Space

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

Under s.12.6.8 of the CDP, subject to appropriate safeguards to protect residential amenity, reduced public open space standards may be considered for infill development. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. The applicant is required to clearly delineate and outline proposed locations of communal and public open space within the proposed development to include areas in sq. m and a percentage of the overall site. In the event of the minimum standards within the CDP not being met, a justification should be provided in accordance with s. 12.6.8 of the CDP. This is to be addressed by **Additional Information**. The Public Realm Section have reviewed the proposed development and make the following comments:

Open Space Provision

*It is still not clear from the information submitted if the proposed development meets the relevant open space requirements under the CPD 2022-2028. The applicant is requested to submit in table form the percentage (%) and area in sq. m the of the proposed private, semi-private and public open space provision within the site. The applicant should demonstrate compliance with the South Dublin County Development Plan 2022-2028 in relation to open space Sections 8.7 and 12.6.10. **Additional information** on this item should be requested (included in Parks Report).*

Access and Parking

The scheme provides for 7 number car parking spaces (two of which that applicant states in the Architectural Design Statement is disabled space); however, the submitted layout plan only indicates one space, this is below the minimum standards required in the Development Plan.

In relation to the car-parking provision on site the Council's Roads Department state that as the development will be administered by the Dublin Simon Community Charity and the indication that the likely residents to be facilitated at this block of units will have a reduced car parking requirement, the proposed parking is accepted in this instance for this use. The applicant should be conditioned to manage car parking demand associated with the development to ensure that there is not an overspill of car parking onto the public road and footpath outside the application site.

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The Roads Department recommend that additional information be requested from the applicant, the report states the following:

10 no one bed apartments in a development off the Nangor road. There is a new vehicle and pedestrian access proposed. The existing access will be altered. There are no dimensions on the proposed access nor the car parking layout. The applicant should submit a plan and elevation of the access detailing the sight lines and boundary heights at the access location. An autotrack detailing the car movements and refuse collection in the car park is also required. 20% of the parking spaces should be for Electric Vehicle charging.

The pedestrian route should be a minimum of 2.0m wide to cater for mobility impaired users. The parking space number 1 will conflict with the water pump unit. The proposed public footpath along the Nangor Road shall be a minimum of 2.0m wide. The location of bicycle parking is not clear there should be 15no. at a minimum.

The following additional information be requested from the applicant:

1. The applicant shall submit a revised layout of not less than 1:200 scale, showing boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
2. The applicant shall submit a revised layout of not less than 1:200 scale showing the location and number of Bicycle parking spaces to be provided at the development. Please refer to Table 12.23: Minimum Parking/Storage Rates – from the SDCC County Development Plan 2022-2028.
3. The applicant shall submit accurate plans demonstrating the provision of a visibility splay with a 2.4 meter set back at a 1.05-meter height from ground level and 49 meters sight lines in both directions from the entrance. Sight lines should be shown to the near side edge of the road to the right-hand side of entrance and to the centreline of the road to the left-hand side of the entrance (when exiting).
4. The applicant is requested to submit a revised layout not less than 1:200 scale showing the car parking, bicycle parking and pedestrian routes within the development. Please refer to Table 12.23 Minimum Bicycle Parking Rates– SDCC County Development Plan 2022- 2028.
 - The minimum width of footpaths shall be 2.0m wide to aid mobility impaired users.
 - All external bicycle parking spaces shall be covered.

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- Footpath layout shall provide adequate connectivity around the development and to footpaths on the main road.
5. The applicant shall submit a revised layout of not less than 1:200 scale, showing a swept path analysis drawing (i.e., Autotrack or similar) demonstrating that fire tenders and large refuse vehicles can access/egress the site. The drawing should also show how vehicles can access the parking spaces.

The report from the Roads Department is noted. **Additional information** in relation to the car and bicycle parking, fire tender and refuse access and bin storage should be requested.

Boundary Treatment

Under the former grant of permission under SD16A/0450, the applicant proposes to retain but relocate most of the wall along the front boundary of the site to accommodate sight lines and the traffic arrangements to the site. In addition, a Method Statement had been submitted. In the previous application, this had been reviewed by the Council's Architectural Conservation Officer, who stated that the retention of the existing boundary is welcomed, and the method statement and the details are considered acceptable.

However, under the subject application, the drawings need more detail regarding the existing retained and proposed built front boundary wall for a full assessment. The Planning Authority considers that the applicant must demonstrate further that the proposed development will not adversely impact the nearby Architectural Conservation Area. The boundary wall, although not protected, does adjoin the front boundary of the protected structure, and contributes to the character of the adjoining designated ACA with regard to its streetscape value.

The Planning Authority would require details of the works involved in the boundary wall to include colour hatching of the proposed and retained elements; contiguous and sectional drawings shall be requested by **Additional Information**.

Green Infrastructure and Landscaping

The subject site and the proposed development are located over a culverted stream, a GI Corridor, as identified in Figure 4.4: Green Infrastructure Strategy Map in the CDP. The main element of the culvert is addressed below in the report's Infrastructure and Environmental Services. Further considerations are given to the green infrastructure to ensure compliance with the CDP, including G15 Objective 4 and incorporating GI elements are addressed in the Public Realm report.

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The Public Realm Section requests additional information, including a detailed landscape design, information on boundary treatment to the front of the site, SUDS and green infrastructure and green space factor. These items should be requested via **Additional Information**.

Infrastructure and Environmental Services

Further information is required in relation to the environmental servicing of the site. The surface water attenuation details provided are inadequate and attenuation on site needs to be increased. There is a storm culvert and an Irish Water distribution main traversing the site and overlaps with Flood Zones A and B. It has come to the attention of the Planning Authority, since the previous planning application at the site, that the proposed development is located over a culverted stream. The Planning Authority has concerns regarding the proposed development located directly over an existing culverted stream. It is council policy to open culverted streams where possible and to require a minimum setback distance of 10m to a structure.

Under 12.4.3 Riparian Corridors: The riparian corridors of the County include rivers, streams and other watercourses and are important for water quality as well as providing green infrastructure and biodiversity links, see sections 4.2.2 and 11.3.1 for policy and objectives. Development within or affecting riparian corridors will be required to:

- *Ensure that hydromorphological assessments are undertaken where proposed development is within lands which are partially or wholly within the Riparian Corridors identified as part of this Development Plan;*
- *Demonstrate how the integrity of the riparian corridor can be maintained and enhanced having regard to flood risk management, biodiversity, ecosystem service provision, water quality and hydromorphology;*
- *Promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site. This is a minimum and should be considered in light of the bullet points above;*
- *Uncover existing culverts where appropriate and in accordance with relevant river catchment proposals, restore the watercourse to acceptable ecological standards for biodiversity wherever possible, improving habitat connection and strengthening the County's GI network.*

Water Services have reviewed the proposed development and recommend **Refusal** to build over an existing culverted stream passing through the site.

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Having regard to the concerns of the Water Services Department, the applicant is required to investigate and provide further details with regards the culvert in relation to its location, quality, flow and course. The applicant is required; to explore alternative design solutions to provide for a minimum 10m setback from the culvert; or alternatively, to demonstrate that the proposed development is appropriate and include all necessary engineering details and design solutions which include mitigation measure to ensure the culvert is safeguarded and/or enhanced. It is noted that any proposal made by the applicant in this respect should ensure that the development would not result in an unacceptable impact on the culverted stream or riparian zones.

The applicant shall and also address the following points:

1. Details of compliance with the Greater Dublin Regional Code of Practice for Drainage works.
2. Details of SuDS proposed in the development to attenuate surface water.
3. Details of surface water attenuation calculations to determine what attenuation in m³ is required for the site.
4. Clarification and provide details of the existence of a public surface water sewer northeast of site.

The applicant is advised to consult with the Water Services Section prior to responding. This should be addressed through **Additional Information**.

Irish Water

Irish Water has reviewed the proposed development and request **Additional Information** with regards to water and foul, feasibility and pre-connection enquiries.

It is also noted that an Irish water pipe intersects directly through the site from west to east and a 3m setback distances should be provided to proposed development from the existing water main. There is some flood risk on the site regarding a 1;1,000 flood risk that requires attention such that it does not adversely affect areas upstream or downstream of the site and mitigates the flood risk of the development itself.

As a result, the applicant is requested to liaise with Irish Water regarding a 3m setback distance from the existing water main. This could move the location of the pipe within the site and details of which this and agreement with Irish Water should be provided to the Planning Authority via **Additional Information**. Also, the applicant shall obtain confirmation of feasibility letter from Irish Water for the proposed development and submit a pre-connection enquiry with Irish Water for proposed development for both Water and foul.

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Parks

Additional Information is required in relation to the Public Open Space, Landscaping and Green Infrastructure of the site. The details provided are inadequate and require more detailed information on the following:

Landscape Plan

The applicant has not provided a detailed landscape plan or landscape design statement/rationale for the proposed development. The applicant therefore requested to provide a landscape plan with full works specification and a landscape design statement that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include hard and soft landscape details; including levels, sections, and elevations. The landscape proposals to be prepared by a suitably qualified landscape architect.

SUDS

There is a lack of SuDS (Sustainable Drainage Systems) shown for the proposed development. Natural SUDS features shall be incorporated into the proposed drainage system. The SUDS shall be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022.

Green Space Factor (GSF)

The GSF is a score-based requirement that establishes minimum standards for landscaping and GI provision in new developments. Minimum scoring requirements are based on the land-use zoning of a site (See GI5 Objective 4), this applies to all development comprising 2 or more residential units and any development with a floor area in excess of 500 sq m. Qualifying developments are required to reach the minimum Green Space Factor (GSF) score established by their land use zoning.

Developers can improve their score by both retaining and enhancing existing landscape features and incorporating new features. A developer will be required to specify the GSF measures included within a proposed development as part of the submitted Green Infrastructure Plan and Landscape Plan. A Green Space Factor Guidance Note will also be made available on the Council's website under the Development Plan section setting out the applicable weightings and scorings. Where applicable, a completed worksheet shall be submitted with the Green Infrastructure Plan and Landscape Plan in support of a proposed development.

The report from the Parks and Public Realm Department is noted. **Additional information** in relation to the Public Open Space, Landscaping and Green Infrastructure of the site should be requested.

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Environmental Health

The EHO department have submitted a report and consider the proposal is acceptable to the Environmental Health Department subject to the following conditions:

- 1. Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time.
Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.*
- 2. During the construction / 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.*
- 3. No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators, etc.) shall be operated on or adjacent to the construction site before 08:00 hours on weekdays and 09:00 on Saturdays nor after 19:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays. Any work outside of these hours shall only be permitted following a written request to the Planning Authority and 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 unwanted noise outside the hours stated above.*
- 4. The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site so as would give reasonable cause for annoyance to any person in any adjoining unit or public place in the vicinity.*

The report of the EHO Department is noted and in the event of a grant of permission shall be obtained by **condition**.

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.

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Screening for Appropriate Assessment

The applicant has not submitted any information in relation to screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves the redevelopment of the site to include 10 no. apartments.

Having regard to:

- the nature of the development,
- the location of the development in a serviced area, and
- the consequent absence of a pathway to the European site,

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

Conclusion

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 the development of a residential scheme at this location may be acceptable in principle, there are several issues with the development located directly over an existing culverted stream, drainage, open space, GI and roads concerns which require further assessment by **additional information** in order for the Development Proposal to be in accordance with the proper planning and sustainable development of the area.

Recommendation

Request Additional Information.

Additional Information

Additional Information was requested on the 20th of December 2022.

Following a request for an extension of time, the period of time for submitting a response was extended up to an including the 28th of September 2023.

Additional Information was received on the 26th of September 2023 (not deemed significant).

Additional Information Consultations

Water Services	Refusal Recommended.
Uisce Éireann (Irish Water)	No objection subject to conditions.
Roads Department	Clarification of additional information requested.
Public Realm	No report received at the time of writing this report.
Architectural Conservation Officer	Report received.

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Assessment

Item 1 Requested

The Planning Authority has concerns regarding the proposed development located directly over an existing culverted stream. It is council policy to open culverted streams where possible and to require a minimum setback distance of 10m to a structure.

(i) the applicant is required to investigate the culvert and to provide further details with relation to its location, quality, flow, and course.

(ii) the applicant is required to explore alternative design solutions to provide for a minimum 10m setback from the culvert or alternatively demonstrate that development as proposed is appropriate by including all necessary mitigation measures or engineering details / design solutions to ensure that the proposal would not result in an unacceptable impact on the culverted stream or riparian zones.

The applicant shall and also address the following points:

- 1. Details of compliance with the Greater Dublin Regional Code of Practice for Drainage works.*
- 2. Details of SuDS proposed in the development to attenuate surface water.*
- 3. Details of surface water attenuation calculations to determine what attenuation in m3 is required for the site.*
- 4. Clarification and provide details of the existence of a public surface water sewer northeast of site.*

The applicant is advised to consult with the Water Services Section prior to responding.

Applicant's Response:

Full report of culvert investigations submitted, comprises of further details regarding the location, quality, flow, and course of the culvert.

Documentation on the details of compliance with the Greater Dublin Regional Code of Practice for drainage works, which includes further details on the SuDS proposed and required attenuation for the site.

Culvert is a manmade drain with the purpose of providing an overflow from the mill pond via a concrete tank with a controlled flow into a stone channel leading to a sump manhole to the level of the culvert.

Setbacks to the culvert are not possible due to site constraints. Least onerous proposal was agreed which included 3 no. 900mm pipes in lieu of the existing culvert.

Daylighting the culvert would provide minimal ecological benefit for aquatic species and no benefit in terms of the Water Framework Directive. Because it is not a water course, G13 Objective 3 does not apply.

Legal letters dated 14th May 2019 and 6th June 2020 submitted.

These state that there is no evidence of the existence of any rights in respect of the culvert, but there is a risk that at some time historically the mill premises enjoyed a right in respect of it.

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As the mill is no longer in existence, any right that formerly existed for the benefit of the mill has been released by abandonment.

Further investigation revealed storm water connections outside the boundary of the site that may have a parasitic connection to the culvert.

Entitled to improve the watercourse by changing it from a culvert to pipes of a similar capacity providing it would not create any real and substantial interference with the exercise of such theoretical and unlikely third-party rights.

Assessment:

Water Services have reviewed the response and recommend that permission is **refused**:

Surface Water Report: Recommend Refusal:

1.1 The applicant proposes to build over an existing culverted stream passing through site. A minimum setback distance of 10m is required to the edge of such a culvert and there is no setback distance provided to the culvert from proposed development.

SDCC do not recommend replacing such a culvert with three concrete pipes because it is council policy to open culverted streams where possible and use a SuDS (Sustainable Drainage System) system where possible such as an open stream or swale.

1.2 It is not recommended to use proposed concrete attenuation tanks because they are not a SuDS type surface water attenuation system.

1.3 Water services SDCC (South Dublin County Council) do not have any record of a public surface water sewer northeast of site where it is proposed to connect proposed surface water network to on the public road North East of site.

1.4 The report showing surface water attenuation calculations is unclear because there is no figures given on the areas in m² of different surface types and their respective run off coefficients.

It is recommended that this development be Refused because

- the development is proposed to be directly over an existing culverted stream.

This culvert requires a minimum setback distance of 10m to a structure.

- There is a lack of SuDS proposed in the development to attenuate surface water.

Modular attenuation underground tanks are not acceptable.

- There is insufficient information submitted on surface water attenuation calculations to determine what attenuation in m³ is required for the site.

- Water services SDCC do not have a record of the existence a public surface water sewer northeast of site.

- Changing a culvert to three pipes increases the risk of blockage to surface water flow through site.

The proposed development is prejudicial to public health and proper planning.

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2 *Note:*

2.1 *If this development was to be granted, then consideration can be given to have a minimum setback distance of 3m set back distance to culvert subject to suitable structural development of culvert. Changing culvert to three pipes is not acceptable because it increases the risk of blockage and is more difficult to maintain. A setback distance is required for maintenance and access proposes because there will need to be access for maintenance works to adjacent stream or culvert. A greater setback distance is preferable for the same reason and biodiversity. The foundation of development will also need to be at or below the invert level of adjacent culvert.*

2.2 *Submit a report showing surface water attenuation calculation. The report should include the area in m² of hardstanding, permeable areas and grass areas and their respective run off coefficients. Show what surface water attenuation is provided in m³ and what is required. Show on a drawing where and how much surface water in m³ is attenuated on site.*

2.3 *The culvert conveying surface water flow should be developed such that there is one continuous flow stream and not split into three pipes. This would minimise the risk of blockages arising in the channel.*

2.4 *SuDS such as examples provided in South Dublin County Council SuDS Guide (SDCC Sustainable Drainage Systems) should be provided.*

2.5 *Water services do not have a record of surface water pipe on road that applicant proposes to connect to. The applicant is required to survey the surface water pipe northeast of site that development is proposed to connect to. Submit survey report and drawing of surface water pipe northeast of site for approval of proposed surface water connection.*

Flood Risk

No Objection

Water Services have advised that consideration can be given to having a minimum setback distance of 3m set back distance to culvert subject to suitable structural development of culvert.

The proposed development would have to be significantly redesigned to provide for the appropriate setback. It is therefore recommended that permission is **refused** in relation to the proposed replacement and building over of the existing culvert.

Surface water drainage and SuDS measures are addressed further below in this report.

Item 2 Requested

An Irish Water pipe intersects directly through the site from west to east, and there should be a 3m setback distance from the existing water main.

(i) The applicant is requested to liaise with Irish Water regarding the provision of a 3m setback distance from the existing water main or with regards to an alternative solution, which could include relocating the pipe, details of which should be provided to the Planning Authority.

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(ii) The applicant shall obtain confirmation of feasibility letter from Irish Water for the proposed development and submit a pre-connection enquiry with Irish Water for proposed development for both Water and foul.

Applicant's Response:

The existing 100mm diameter cast iron water main traversing the site from west to east will be diverted around the building as required.

Correspondence of confirmation of feasibility from Irish Water submitted regarding the drainage in previous permission. Applicant has engaged with Irish Water for additional information correspondence, and it was recommended that a new application be submitted. Do not anticipate any issues concerning this development.

Assessment:

Uisce Éireann (Irish Water) have reviewed the response and state in their report that they have no objection subject to connection agreement conditions. In the event of a grant of permission a condition should also be attached requiring the confirmation of feasibility from Uisce Éireann (Irish Water) to be submitted prior to the commencement of development. It is therefore considered that this item has been satisfactorily addressed subject to conditions.

Item 3 Requested

1. Landscape Design Proposals

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development. 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.*
- 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/bioretention tree pits.*
- iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site.*
- v. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development.*

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

2. Provision of Public Open Space

No public open space is proposed onsite in accordance with COS5 Objective 4 with the CDP 2022-2028. Should the proposal be considered infill development, an omission/reduction in the required public open space may be appropriate. However, a clear justification for this should be provided, including in the context of the quality and quantum of private open space and the proximity of a public park.

3. Sustainable Drainage Systems

(A) The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.

(B) In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates and showing what SuDS (Sustainable Drainage Systems) are proposed.

(C) SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

(D) Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

(E) The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m³. Show in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m² are proposed such as, green roofs, permeable paving, buildings, roads, and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.

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4. Green Infrastructure and Green Space Factor (GSF) The applicant is requested to provide additional information as follows and in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028:

(a) To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network.

(b) To demonstrate how the appropriate Greening Factor will be achieved for the relevant land use zoning objective. See link to the Green Space Factor Worksheet: Related Documents - SDCC

5. Boundary Treatment

The applicant is requested to submit elevation drawings specifying the proposed boundary treatment to the front of the site.

Applicant's Response:

Revised drawings and documentation on proposed landscaping and green infrastructure submitted.

Revised boundary treatment for front of the site.

Public open space shortfall compensated by provision of semi-private and private open space (that exceed minimum standards) and proximity of public open spaces to the site.

Proposal will not pass GSF. Due to the infill nature of the subject site, in conjunction with poor provision of existing green infrastructure, the proposed development has incorporated as many natural planting features that were feasible for the subject site. The applicant is open to further liaising with SDCC.

Assessment:

No report was received from the Public Realm Section at the time of writing this report. Water Services has reviewed the response and stated in their report that there is a lack of SuDS proposed in the development to attenuate surface water. Modular attenuation underground tanks are not acceptable. Further consideration should be given to incorporating SuDS into the site. In the event of a grant of permission was being considered, revised landscaping, green infrastructure and SuDS proposals for the site should be provided.

The communal amenity space referred to in the drawings consists of the entrance and circulation space to and around the building. This is considered to not contribute to usable communal open space for this residential scheme. The provision of no public nor usable communal open space onsite can be considered acceptable for this site having regard to the private amenity space provision and the proximity of the site to public open space.

Comhairle Chontae Atha Cliath Theas

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Item 4 Requested

- 1. The applicant shall submit a revised layout of not less than 1:200 scale, showing boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
- 2. The applicant shall submit a revised layout of not less than 1:200 scale showing the location and number of Bicycle parking spaces to be provided at the development. Please refer to Table 12.23: Minimum Parking/Storage Rates – from the SDCC County Development Plan 2022-2028.*
- 3. The applicant shall submit accurate plans demonstrating the provision of a visibility splay with a 2.4 meter set back at a 1.05-meter height from ground level and 49 meters sight lines in both directions from the entrance. Sight lines should be shown to the near side edge of the road to the righthand side of entrance and to the centreline of the road to the left-hand side of the entrance (when exiting).*
- 4. The applicant is requested to submit a revised layout not less than 1:200 scale showing the car parking, bicycle parking and pedestrian routes within the development. Please refer to Table 12.23 Minimum Bicycle Parking Rates– SDCC County Development Plan 2022-2028.*
 - The minimum width of footpaths shall be 2.0m wide to aid mobility impaired users.*
 - All external bicycle parking spaces shall be covered.*
 - Footpath layout shall provide adequate connectivity around the development and to footpaths on the main road.*
- 5. The applicant shall submit a revised layout of not less than 1:200 scale, showing a swept path analysis drawing (i.e., Autotrack or similar) demonstrating that fire tenders and large refuse vehicles can access/egress the site. The drawing should also show how vehicles can access the parking spaces.*

Applicant's Response:

1. Drawings of rebuilt front boundary walls at vehicle access points submitted.
2. Location of proposed covered bicycle parking area shown on submitted site plan. 15 no. bicycle parking spaces are proposed.
3. Sightlines have been reviewed and designed in accordance with the Design Manual for Urban Roads and Streets. Drawings showing sightlines submitted. Sight lines of 45m to the west and 35m to the east indicated. Ramps on road to the front of the site. Previous planning application on this site for the same development provided the same sight distances.
4. Submitted site plan shows location of proposed car parking, covered bicycle parking and pedestrian routes. Minimum footpath widths have been revised to 2m wide.
5. A layout drawing showing a swept path analysis submitted with the response.

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Assessment:

1. The Roads Department has reviewed the additional information submitted and state in their report *'Front boundary at 800mm and 1200mm pillars, roads are satisfied with the response'*. This item has therefore been satisfactorily addressed.
2. The Roads Department state in their report that they are satisfied with the response. The number of bicycle parking spaces complies with the 2023 Apartment Guidelines. This item has therefore been satisfactorily addressed.
3. The Roads Department state in their report that *'The design speed of the Old Nangor road is 50kmh requiring a sight line of 45m, the applicant has shown a 35m sight line to the west when exiting. Roads are not satisfied with the response.'* In the event of a grant of permission was being considered the location and design of the vehicular entrance to the site should be revised to provide for adequate sightlines.
4. The Roads Department state in their report that *'A footpath and parking layout have been provided. The pedestrian walkways are 2.0m wide, although there is a small section of public footpath to the east end of the development that is less than 1.8m wide, for 2.7m. The bin location is blocked by the parking spaces, the occupiers may find it difficult to get 1100ltr bins to the refuse truck if cars are in the way, this may lead to the bins being left to the front of the development permanently'*.

In the event of a grant of permission was being considered the location of the bin storage for the development as proposed should be revised to provide for access for collection.

5. The Roads Department state in their report that *'A autotrack has been provided detailing the refuse truck reversing out onto the public road. The roads department have concerns about trucks reversing, particularly considering this development cannot achieve the required sight lines at the entrance. Roads are not satisfied with the response. The refuse collection strategy needs to be reconsidered for this development.'*

As stated above, the location and design of the vehicular entrance should be revised as part of any further consideration of development on this site.

Item 5 Requested

The drawings submitted regarding the boundary of the site need more detail regarding the existing retained and proposed built front boundary wall for a full assessment. The Planning Authority considers that the applicant must demonstrate further that the proposed development will not adversely impact the nearby Architectural Conservation Area.

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(i) The applicant shall submit a revised detail of the works involved in the boundary wall and include colour hatching of the proposed and retained elements; in contiguous and sectional drawings.

Applicant's Response:

The existing stone wall along the front boundary of the site would be rebuilt to provide for redesigned pedestrian and vehicle access points to the site. Part of the wall, approx. 2.7m, would be retained as is.

The submitted architectural response report states that the new wall, set back slightly from the street, will be built by suitably experienced contractors, and will incorporate and reuse the harvested rubble masonry. The applicant invites a planning condition that stipulates this requirement/intervention.

Drawings detailing the proposed boundary treatments submitted with the response.

Assessment:

The Architectural Conservation Officer (ACO) has reviewed the additional information submitted and states the following in their report:

Appraisal

A similar proposal was considered and granted permission under SD16A/0450 after a redesign and proposal to repair and retain as much as the front boundary wall as possible.

The current application was not referred to the Councils Architectural Conservation Officer initially, but the Area Planner raised the previous concerns as per the proposal under SD16A/0450.

The architectural conservation concerns with regard to the visual impact along the Streetscape and adjoining the Architectural Conservation Area and adjoining Protected Structure still stand. The existing wall should be repaired and as much of the original boundary wall should be retained given the streetscape setting and adjoining protected structure site. There is no detail with regard to the justification of reducing the height of the existing boundary wall and no method statement has been provided in relation to the necessary repairs in line with best practice and traditional methods and materials.

The overall design and materials being proposed could be improved given the site context and adjacent protected structure site. It is noted that there is a larger scale development to the rear of the subject site and therefore the proposed design for the social housing should reflect the new site context and reflect the new build and also the material and colour palette of the built environment both old and new. The overall position and how the new build addresses the street and within the overall site context could be reassessed with regard to providing an improved new build at this location.

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The overall design and use of materials should be sensitive to the adjacent Protected Structure and the streetscape therefore any proposed development at this location should bring architectural interest and quality at this location.

Recommendation

It is considered that the existing boundary wall should be retained at this location and the necessary repairs completed to safeguard the wall structure as previously indicated. Any revisions to the wall and insertion of a new entrance needs to be justified. The overall design and position of the new development should reflect the site context and its location adjacent to a Protected Structure site and ACA. Currently the proposal does not add any architectural interest or quality to the streetscape setting and has not adapted its design and site layout to take account of the new development to the rear. I would therefore be recommending that these concerns need to be addressed.

Further consideration in relation to the above should be given. It is noted that the provision of a new pedestrian and vehicle access had previously been permitted. In the event of a grant of permission being considered the location and design of the pedestrian and vehicular access and works to the front boundary wall should be reassessed in relation to sightlines and the concerns expressed above by the ACO insofar as they relate to the boundary wall.

Item 6 Requested

There are concerns with the layout of the proposed development regarding the private amenity space of the future occupiers of ground floor apartments 3 and 4. The area of private space appears to be open and contributes to communal open space given its shape and use as circulation space. The proposed development boundary treatment and/or 'privacy strip' should be revised to provide distinctly private and usable communal open space in accordance with the Sustainable Urban Housing: Design Standards for New Apartments (2020) and South Dublin County Development Plan 2022-2028.

In this regard, the applicant is requested to submit the following:

(a) revised section and elevational drawings that illustrate that a sufficient level of privacy is afforded to the habitable rooms of ground floor apartments 3 and 4, including the bedrooms.

Applicant's Response:

The private terraces for proposed Apartments 3 and 4 and the communal path to the front of these have been revised.

The window on the north-western elevation of the kitchen/dining/living room of Apartment 4 has been amended to a high-level window.

The entrance door to the apartment building on the north-western side has been moved away from the north-western elevation of Apartment 4 and the bedroom window of this apartment.

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Assessment:

The private terraces for Apartments 3 and 4 have been reduced in area, still complying with the minimum private amenity space requirement for a 1 bed under the 2023 Apartment Guidelines. The landscaped privacy strip between the private terrace for Apartment 4 and the pathway has been increased in size. The boundary treatments to these terraces would be clipped evergreen hedging and 0.85m high bow top railing.

Having regard to the proposed boundary treatment and proximity to communal space it is considered that an inadequate level of privacy would be afforded to these private amenity spaces, in particular Apartment 3. The bow top railing would be low in height and not be of a high design quality for this residential development. In the event of a grant of permission being considered the boundary treatment to the private open spaces for Apartments 3 and 4 should be revised to ensure a sufficient level of privacy and visual amenity.

The Planning Authority would also have concerns regarding the high-level windows to the side elevations of Apartments 3 and 4. This would reduce the level of daylight and sunlight in the kitchen/dining/living rooms of these apartments. The only other windows to these rooms are north/north-east-facing. These should be revised to provide a sufficient level of daylight/sunlight to these habitable rooms.

The north-western projection of the building, comprising of internal circulation space (i.e., stairwell), has glazing on all floor levels on the north-eastern elevation. Given that this circulation space would be generally lit it is considered that it would cause a nuisance to Apartments 4 and 8 given the location and proximity of windows to habitable rooms. The entrance is also near the bedroom window of Apartment 4.

The entrance and glazing should be relocated to the north-western elevation of the building projection to address this.

Further consideration of the layout and privacy of residential accommodation is warranted. In the event of a grant of permission being considered the layout and design of the development as proposed should be revised to address this. Internal boundary treatments should also be addressed to ensure adequate privacy and visual amenity.

Conclusion

Having regard to the existing culverted stream and the layout and design of the proposed development, including the proposed replacement of the culvert with three concrete pipes, it is considered that the proposed development would be prejudicial to public health and contravene IE3 Objective 2 of the South Dublin County Development Plan 2022-2028 and should therefore be **refused permission**.

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Replacing the existing culvert with three pipes would increase the risk of blockage and would be more difficult to maintain. A setback distance of any proposed building from the culvert is required for maintenance and access purposes and to reduce the risk of flooding.

Recommendation

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

SCHEDULE

REASON(S)

1. Notwithstanding the grant of planning permission for similar development under planning reference SD16A/0450, the proposals to build over an existing culvert and the absence of a setback contravene IE3 Objective 2 of the South Dublin County Development Plan (CDP) 2022-2028 and would be prejudicial to public health and would give rise to risk of localised flooding as a result of blockage and inadequate maintenance access. Moreover the replacement of existing culvert with three concrete pipes exacerbates the risk of blockage and localised flooding contrary to the proper planning and sustainable development of the area and in contravention of the CDP 2022-2028.

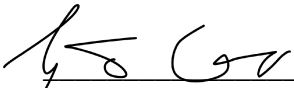
Comhairle Chontae Atha Cliath Theas

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REG. REF. SD22A/0412


LOCATION: Lands at, Old Nangor Road, Clondalkin, Dublin 22



Gormla O'Corrain
Senior Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

Date: 23/10/23



Mick Mulhern,
Director of Land Use, Planning &
Transportation

To whom the appropriate powers have been delegated by the order number DELG 1923 of the Chief Executive of South Dublin County Council*