

MEETING OF DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL

11th November 2024

Item No. 6

Report submitted in accordance with Part XI, Section 179(3) of the Planning and Development Acts, 2000 (as amended), Part 8 of the Planning and Development Regulations, 2001 (as amended), and Section 138 of the Local Government Act 2001 (as amended).

Proposed Development of Sports & Community Facilities at Cabinteely Park within the Curtilage of Protected Structures (Cabinteely Park Gate-Lodge, The Gateway, Entrance Piers & Gates)

1. PC/PKS/02/24

In accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001, as amended (PDR), Dun Laoghaire Rathdown County Council (the Council) gave notice of the proposed development in the Irish Times on Wednesday the 13th of August 2024. Plans and particulars of the proposals were made available for inspection from 13th of August 2024 to the 6th of September 2024 at the Planning Department, County Hall, Marine Road, Dún Laoghaire, and the Council Offices, Dundrum and on the DLR Consultation Hub, on the Council's website www.dlrcoco.ie.

Submissions and observations with regard to the proposed development could be made up to and including the 24th of September 2024.

<https://dlrcoco.citizenspace.com/parks/proposed-development-at-cabinteely-park/>

2. SITE LOCATION AND DESCRIPTION:

The following report is a summary of the main features of the proposed development, comprising the construction of a changing pavilion and works to the Gate-Lodge adjacent to the Bray Road entrance at Cabinteely Park. This report summarises the information given in the associated drawings and any ancillary reports.

The site – the subject of this Part 8 - is located in Cabinteely Park adjacent to the entrance to the Bray Road, Cabinteely, Dublin 18. The proposed works include the restoration and conservation of the gate-lodge (a Protected Structure) for community type usage, the construction of a changing rooms adjacent and the upgrade of the entrance. The site as outlined in red on the site location plan is approximately 0.1 Hectares.

3. ZONING AND OBJECTIVES IN THE COUNTY DEVELOPMENT PLAN 2022-2028

3.1 Context

The site is located in Cabinteely Park which is one of 6 regional parks in Dun Laoghaire Rathdown. It is approximately 45 Hectares in size and comprises an 18th century country house, boundary walls,

gate lodges, ornate iron entrance gates, a walled garden, woodlands, café, public toilets, a playground, playing pitches, etc.

3.2 Zoning:

The site zoning is Objective F – to preserve and provide for open space with ancillary active recreational amenities. The proposed works are entirely consistent with zoning objective F. The impact on the Protected Structures is assessed in section 3.5 below.

3.3 Policy:

The development will tie in with the relevant national and regional policy as well as the following specific policies outlined in the County Development Plan 2022-2028.

Policy Objective OSR9 – Sports and Recreational Facilities

It is a Policy Objective to promote the provision, and management of high-quality sporting, and recreational infrastructure throughout the County, in accordance with the National Sports Policy 2018-2027, and dlr Space to Play: a new approach to Sports Facilities Strategy', 2017-2022, to ensure that the particular needs of different groups are incorporated into the planning and design of new facilities.

Policy Objective PHP13: Equality, Social Inclusion and Participation

It is a Policy Objective to promote equality and progressively reduce all forms of social exclusion that can be experienced because of gender, gender identity, marital status, family status, age, race, religion, disability, sexual orientation, nationality, homelessness and membership of the Traveller Community and promote active participation consistent with RPO 9.1 and RPO 9.2 of the RSES.

Policy Objective PHP14: Age Friendly Strategy

It is a Policy Objective to support and facilitate the implementation of the Dún Laoghaire Rathdown Age Friendly Strategy 2016-2020. The dlr Age-Friendly Strategy 2022-2026 was noted by the Council in November 2022.

Policy Objective HER8: Work to Protected Structures

It is a Policy Objective to:

- i. Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- ii. Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the 'Architectural Heritage Protection Guidelines for Planning Authorities' published by the Department of the Arts, Heritage and the Gaeltacht.
- iii. Ensure that all works are carried out under supervision of a qualified professional with specialised conservation expertise.
- iv. Ensure that any development, modification, alteration, or extension affecting a Protected Structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout, and materials.
- v. Ensure that the form and structural integrity of the Protected Structure is retained in any redevelopment and that the relationship between the Protected Structure and any complex of adjoining buildings, designed landscape features, or views and vistas from within the grounds of the structure are respected.

- vi. Respect the special interest of the interior, including its plan form, hierarchy of spaces, architectural detail, fixtures and fittings and materials.
- vii. Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.
- viii. Protect the curtilage of protected structures and to refuse planning permission for inappropriate development within the curtilage and attendant grounds that would adversely impact on the special character of the Protected Structure.
- ix. Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.
- x. Ensure historic landscapes and gardens associated with Protected Structures are protected from inappropriate development (consistent with NPO 17 of the NPF and RPO 9.30 of the RSES).

Policy Objective HER26: Historic Demesnes and Gardens

It is a Policy Objective that historic demesnes and gardens should be identified and protected to reflect and acknowledge their significance as part of our National Heritage. The following houses and gardens are listed: Cabinteely House, Marlay House, Fernhill and Old Conna.

Policy Objective OSR3: Future Improvements:

It is a Policy Objective to continue to improve, plant and develop more intensive recreational and leisure facilities within parks and public open spaces insofar, as resources will permit, while ensuring that the development of appropriate complementary facilities does not detract from the overall amenity of the spaces

3.4 Strategy:

Dun Laoghaire Rathdown County Council has adopted the following additional strategies that are pertinent to the proposed development:

Space to Play – Dún Laoghaire Rathdown County Council Sports Facilities Strategy 2017-2022:

The strategy sets out a logical, deliverable pathway for the optimum use of existing, and the development of new public sporting and physical activity facilities within the County.

3.5 Protected Structures:

The gateway, pair of granite ashlar piers on cut-granite, cast-iron double gates as well as the gate lodge are Protected Structures (ref: 2101 & 1980). The impact of the proposed development is considered positive on these Protected Structures.

4. NATURE AND EXTENT OF PROPOSED DEVELOPMENT:

The nature and extent of the proposed development is outlined below. This description of the proposed works should be read in conjunction with the supporting drawings and reports. The proposed development will provide community facilities for local clubs and groups and ensure a long-term and sustainable use for the gate-lodge, a Protected Structure. The entrance will be enhanced with natural stone paving, planting and street furniture

4.1 Changing Pavilion:

A new changing pavilion building (approx. 50 sq. m) is proposed to the north of the existing gate-lodge. This will include two changing rooms with team storage areas, an accessible toilet and small plant rooms. The structure will be a high-quality timber framed modular unit with robust aluminium

doors, zinc seamed or fibreglass roof with skylights and external cedar cladding. It will include photovoltaic panels on the roof and incorporate rainwater harvesting.

4.2 Gate-Lodge:

The gate-lodge will be faithfully restored for community usage in accordance with conservation principles under the direction of a grade 1 conservation Architect. It will include meeting rooms, a small kitchenette and a toilet. The poorly constructed modern extension will be demolished so that the building can stand alone again in the parkland setting. The building will be approximately 75 sq. m when the extension is removed.

4.3 Entrance:

The existing entrance will be enhanced with natural stone paving, appropriate ornamental planting, seating and other street furniture. The use of sustainable urban drainage will be incorporated.

4.4 Climate Related Considerations:

The climate related impacts of these facilities have been strongly assessed throughout the design process against the National Policy on Climate Action and more specifically the DLR Climate Change Action Plan 2024-2029. The details of climate action are outlined below.

Energy & Buildings:

The changing pavilion will be A-rated and a zero emissions building. The building will use photovoltaic (PV) panels for its energy and will also include additional panels to reduce the energy load of the gate-lodge. The building will be a timber framed modular unit to reduce the carbon footprint and sustainable solutions will be incorporated throughout. The gate-lodge will be faithfully restored to reduce waste and insulated to ensure the building performs to a high standard.

Transport:

Additional bike stands will be provided. There are proposals for a new greenway through Cabinteely Park.

Flood Resilience:

Sustainable urban drainage will be used as well as rainwater harvesting.

Nature Based Solutions:

Additional trees will be planted to improve air quality, sequester carbon and attenuate surface water.

Circular Economy and Resource Management:

A refillable water font will be provided.

Community Engagement:

The facilities are being developed for the local community and it is hoped that these facilities will empower these communities further to take climate action.

5. ENVIRONMENTAL IMPACT ASSESSMENT :

The proposed development does not trigger the threshold for mandatory Environmental Impact Assessment (EIA). The Council carried out a preliminary examination of the proposal in accordance with Article 120(1)(a) PDR. Based on the nature, size and location of the proposed development, the Council considered there was significant and realistic doubt regarding the likelihood of significant effects on the environment. Consequently, and in accordance with Article 120(1)(b)(ii) of the PDR, the Council caused an EIA Screening Report to be prepared (Mac Cabe Durney Barnes August 2024) based on the information that is specified in Schedule 7A of the PDR to assist the Council to determine, taking account of the criteria set out under Schedule 7 of the Regulations, whether the proposed development can go ahead without the need for EIA.

Commented [OE1]: Please check that this is the same wording as the St. Thomas CE report.

Taking account of the findings of the EIA Screening Report, the Council determined that there is no real likelihood of significant effects on the environment arising from the proposed development for the reasons set out in the EIA Screening Determination.

6. APPROPRIATE ASSESSMENT:

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended the Council caused Altermar Ltd to undertake Appropriate Assessment screening to assess, in view of best scientific knowledge and the conservation objectives of the European Sites, if the proposed development, individually or in combination with other plans or projects is likely to have a significant effect on a European Site(s). As required under Regulation 42(7) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, the County Council has made a determination following screening that an Appropriate Assessment is not required. The proposed development is not directly, connected with or necessary to the management of sites as European sites and it can be concluded, on the basis, of objective information, that the proposed development individually or in combination with other plans or projects is not likely to have a significant effect on the European sites identified and listed in the AA Screening Report prepared by Altermar Ltd. This determination is based on information supplied by Altermar Ltd. From this AA screening exercise, it has been determined that no significant likely effects may arise on any European sites as a result of the proposed development in combination with other plans and projects, through surface water, land and air, and groundwater pathways. This assessment was undertaken in the absence of mitigation measures. The project screened out for Appropriate Assessment based on the location of the works, the nature and the scale of the works.

7. IMPLICATIONS OF THE PROPOSED DEVELOPMENT FOR THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA

It is considered that the proposed development will provide much improved facilities for the community and local club with a wide range of benefits. It will help to encourage an active lifestyle while being age friendly and inclusive. The proposed development will also have a positive impact on the protected structures.

The site zoning is Objective F – to preserve and provide for open space with ancillary active recreational amenities. The proposed works are entirely consistent with zoning objective F. The impact on the Protected Structures is assessed in section 3.5. There are several policies within the County Development Plan 2022-2028 which support this project.

An EIA screening has been carried out and it has been determined that an EIAR is not required, as there is no real likelihood of significant environmental effects.

AA screening has been carried out and the Council has concluded that an AA is not required as the proposed development will not have a significant effect on any European site, individually or in combination with other plans or projects.

In conclusion, the proposed development is acceptable in principle and accords with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022 – 2028 and the proper planning and sustainable development of the area.

8. INTERNAL REPORTS

Architects Department

In correspondence dated 12th August 2024, confirmed no objection to the proposed development subject to further engagement during the detail design stage.

Community and Cultural Development

In correspondence dated 22nd July 2024, confirmed no objection to the proposed development.

Forward Planning Infrastructure

In correspondence dated 22nd February 2024, confirmed no objection to the proposed development.

Infrastructure and Climate Change – Capital Projects & Transportation Planning

In correspondence dated 28 of June 2024, confirmed no objection to the proposed development.

Infrastructure and Climate Change – Environment Enforcement

In correspondence dated 22nd of July 2024, confirmed no objection to the proposed development.

Infrastructure and Climate Change – Estates Officer

In correspondence dated 29th of July 2024, confirmed no objection to the proposed development.

Infrastructure and Climate Change – Transportation Planning

No comments received- (N/A (through active travel))

Infrastructure and Climate Change – Climate Action Officer

In correspondence dated 5th of June 2024, confirmed no objection to the proposed development.

Housing Department

In correspondence dated 5th of June 2024, confirmed no objection to the proposed development.

Community & Cultural Development – Biodiversity Officer

In correspondence dated 7th August 2024, confirmed no objection to the proposed development with some conditions.

Finance – Drainage Planning

In correspondence dated 22nd of July 2024, confirmed no objection to the proposed development with some conditions.

Infrastructure and Climate Change – Road Maintenance

In correspondence dated 23rd July 2024, confirmed no objection to the proposed development.

Infrastructure and Climate Change – Traffic and Road Safety

In correspondence dated 14th of June 2024, confirmed no objection to the proposed development.

Planning Department

No comments received

Infrastructure and Climate Change – Active Travel

In correspondence dated 5th of June 2024, confirmed no objection to the proposed development.

9. STATUTORY BODIES/ORGANISATIONS

The proposed development was notified to relevant prescribed statutory bodies in accordance with the Planning and Development Regulations 2001 as amended (PDR). No submissions were received from statutory bodies.

10. SUBMISSIONS/OBSERVATIONS

In accordance with Part 8, Article 81 of the PDR the Council gave notice of the proposed development in the Irish Times on 13 of August 2024 indicating that submissions and observations would be accepted up to and including 24th September 2024. A site notice, in the prescribed format, was also erected on the site and maintained in place for the prescribed period.

A total of 129 submissions were received during the stipulated time period. One submission was duplicated so the overall number of **submissions was 128**. Of the 128 submissions, **127 (99.22%) were in support** of the proposed development and **1 (0.78%) was neutral or undecided**.

The submissions (and the detail pertinent to the respective submissions) are duly noted and have been assessed. A summary of the issues raised by members of the public with the responses of the Chief Executive thereto are set out below: -

Observations/Comments/Issues	Chief Executive’s Response
Support the Proposed Development:	
<p>Many submissions highlight the great benefits of restoring the gate-lodge and having it available for community use. Submissions also highlight that the building has been vacant and in a poor state of repair for many years. Many submission also welcome the entrance upgrade proposals including greening, paving and improvement works to prevent water ponding outside the gates. Many submissions confirm the support and great benefit of providing the changing pavilion and toilets in close proximity to the pitches and the importance for children and females. It is suggested that these facilities will allow the club to retain members and go from strength to strength. Other submissions suggest that the project will promote health and wellness, foster community spirit, and set a benchmark for sustainable development and the design of the changing pavilion is considered high quality.</p>	<p>The Chief Executive notes and welcomes the depth and breadth of observations and comments on the proposed development and acknowledges the high level of engagement and feedback from the community.</p>
Suggestions/Queries:	
<ul style="list-style-type: none"> If space allows an artists studios would make a great addition to the lodge. 	<ul style="list-style-type: none"> This will be considered but it’s unlikely that the building would lend itself that use.

Observations/Comments/Issues	Chief Executive's Response
<ul style="list-style-type: none"> • Use local stone only when putting new structures in place in the parks and other public buildings. • Consider the vacant yard behind the grain store, adding community tennis courts there would be a fantastic use of space and a much-needed amenity. • Can the gate-lodge be used for community meetings and can there be space available for Tidy Towns equipment. • Do you know if certain clubs are being prioritised for use of the new building, • During construction will this impact on the existing paths in the park? • Some submissions comment on the proposed greenway. • The Lodge at the Brennanstown Gate should be renovated. 	<ul style="list-style-type: none"> • Local stone will be used for the entrance paving and other elements as required. • This will be considered in a further phase of the upgrade of the park but is outside the scope of this proposed development. • Yes it is being restored for community use and we will further engage with community groups to fully ascertain their needs. • Local clubs will get priority for use of the changing pavilion. • There will be some impact on park users but it will be minimal and managed to reduce impacts. • These cannot be considered as part of this proposed development. • This is outside the scope of this proposed development.

12 RECOMMENDATION:

The proposed development is considered to be in accordance with the provisions of the 2022 - 2028 Dún Laoghaire-Rathdown County Development Plan and with the proper planning and sustainable development of the area. In accordance with section 179(4)(b) of the Planning and Development Act 2000 as amended, the proposed development may be carried out as recommended in the Chief Executive's Report, unless the Elected Members, by resolution, decides to vary or modify the development otherwise than as recommended, or decides not to proceed with the development.

Subject to the above, Members are hereby notified in accordance with Section 138 of the Local Government Act 2001, as amended, of the intention to proceed with the proposed development subject to the following conditions and variations:

1. that all relevant mitigation measures outlined in the Ecological Impact Assessment are to be implemented.

and to any such minor alterations to the plans and particulars of the development.

Therese Langan, Director of Community & Cultural Development Department

Appendix A – List of Persons Who Put in Submissions/Observations

Appendix B – Site Location Map & General Arrangement Drawing