

## **MEETING OF DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL**

**11<sup>th</sup> September 2017**

### **Item No. 7**

#### **Report submitted in accordance with Part 8, Article 81 of the 2001-2017 Planning and Development Regulations, the Planning and Development Act 2000, as amended, and Section 138 of the Local Government Act, 2001 as amended.**

#### **Proposed Development of Fernhill Park & Gardens, Stepside, Co. Dublin with Works within the Curtilage of the Protected Structure (Fernhill House)**

##### **1. PC/PKS/01/17:**

In accordance with Part 8, Article 81 of the 2001 - 2017 Planning and Development Regulations, the Council gave notice of the proposed development in the Irish Times on Wednesday the 12<sup>th</sup> July 2017. Plans and particulars of the proposals were available for inspection from 12<sup>th</sup> July 2017 up to and including the 9<sup>th</sup> of August 2017 as follows;

- Planning & Organisational Innovation Department, County Hall, Marine Road, Dún Laoghaire, County Dublin, between the hours of 10.00 a.m. to 4.00 p.m. Monday to Friday, excluding Bank Holidays
- The Council Offices, Dundrum Office Park, Dundrum, Dublin 14, between the hours 9.30 a.m. to 12.30 p.m. and 1.30 p.m. to 4.30 p.m. Monday to Friday, excluding Bank Holidays.
- Sandyford Community Centre, Lambscross, Sandyford, Dublin 18, during centre opening hours (selected drawings only).
- Under dlr consultations on the Council's website homepage <https://dlrcoco.citizenspace.com/>.

Submissions and observations with regard to the proposed development could be made up to and including the 23<sup>rd</sup> August 2017.

##### **2. SITE LOCATION AND DESCRIPTION:**

The site – the subject of this Part 8 - is located to the south of the Enniskerry Road in Stepside, County Dublin. The site comprises of the estate known as Fernhill which is approximately 34 Hectares in size and includes existing gardens, woodlands, agricultural lands, public right-of-way, Fernhill House and ancillary buildings.

The proposed development comprises of the development of Fernhill as a Regional Public Park to include new entrances, both pedestrian and vehicular from the Enniskerry Road and Rosemont School, roads, car parking, active recreation, play, paths with seating/resting areas, woodland walks, gardens, ponds and wetlands, meadows, new boundaries, restoration of existing Coach House as a park tearooms, demolition of 1970s bungalow, new tower building for use as public toilets and staff/community facilities, new sports building, new dwelling unit, community garden

and all ancillary civil, building and landscaping works with some works within the curtilage of the Protected Structure (Fernhill House).

### **3. ZONING AND OTHER OBJECTIVES**

#### **3.1 Zoning:**

The Fernhill House Estate is situated within the extensive south-western rural part of the County which mostly comprises the foothills of the Dublin Mountains and the higher plateau areas around Carrickgollogan, Ballycorus, Kiltiernan and Ballyman. The western fields of the Fernhill Estate lie within the area of Zoning Objective B 'To protect and improve rural amenity and to provide for the development of agriculture', while the remainder comprises Zoning Objective F - 'To preserve and provide for open space with ancillary active recreational amenities'.

The Fernhill Estate is subject to Specific Local Objective 36, which seeks: "To prepare and adopt a Masterplan to develop Fernhill Gardens into a 'Gateway' Park/Regional Park with all the recreational amenities associated with a major park, such as pitches, playground, ponds, paths and a car park. The Masterplan should also ensure the continued conservation of Fernhill House and the preservation of trees, woodlands and amenity gardens at Fernhill".

There is an established Public Right of Way through the wooded area south of Fernhill, described in the Development Plan as linking Ballyedmonduff Road to Burrow Road via Walsh's Wood (Map 9) – should read as Walkers Wood.

#### **3.2 Policy:**

The development of Fernhill as a Regional Public Park will tie in with the relevant national and regional policy as outlined in the County Development Plan 2016-2022 as well as the following specific policies;

##### **Policy OSR1: Green Infrastructure Strategy**

"It is Council policy to protect existing green infrastructure and encourage and facilitate, in consultation with relevant stakeholders, the development of new green infrastructure, recognising the synergies that can be achieved with regard to the following; sustainable transport, provision of open space amenities, sustainable management of water, protection and management of biodiversity and protection of cultural and built heritage".

##### **Policy OSR2: Open Space Strategy**

Flagship Parks -

The Council adopted the Open Space Strategy, on the 13 February 2012.

Action 1 of the Strategy's Action Plan states:

*"Deliver a programme of improvements to Flagship and Local Parks*

*Outcomes: improved accessibility and open spaces and recreational facilities of a higher quality"*

##### **Policy OSR3: Hierarchy of Parks & Open Space**

"It is Council policy to provide a hierarchy of quality parks and public open spaces which vary in size and nature and are designed to serve the needs of all members of the community, including people with mobility impairments, by being readily accessible and at a convenient distance from their home and/or places of work".

Policy OSR7: Trees & Woodlands

"It is Council policy to implement the objectives and policies of the Tree Strategy for the County - "dlr Trees 2011 – 2015" - to ensure that the tree cover in the County is managed and developed to optimise the environmental, climatic and educational benefits which derive from an 'urban forest'".

Policy OSR10: Sports & Recreational Facilities

"It is Council policy to ensure to promote the provision and management of high quality sporting and recreational infrastructure throughout the county and to ensure the particular needs of different groups are incorporated into the planning and design of new facilities".

Policy OSR 14: Play Facilities

"It is Council policy to support the provision of structured and unstructured play areas with appropriate equipment and facilities throughout the county and to ensure the needs of all age groups and abilities – children, teenagers, adults and older people – are facilitated in the public parks of Dún Laoghaire Rathdown".

Policy LHB2: Preservation of Landscape Character Areas:

"It is Council policy to continue to preserve and enhance the character of the County's landscapes in accordance with the recommended strategies as originally outlined in the landscape Character Assessment (2002 and since updated), in accordance with the 'Draft Guidelines for Landscape and Landscape Assessment' (2000) as issued by the Department of Environment and Local Government, in accordance with the European Landscape Convention (Florence Convention) and in accordance with 'A National Landscape Strategy for Ireland – Strategy issue Paper for Consultation' 2011".

Policy LHB6: Views and Prospects:

"It is Council policy to protect and encourage the enjoyment of views and prospects of special amenity value or special interests". Views from Ballyedmonduff Road, to the immediate west of Fernhill, are identified on Map 8 as falling within this policy objective.

Policy LB14: Public Rights of Way:

"It is Council policy to preserve, protect, promote and improve for the common good all existing public rights-of-way which contribute to the general amenity"

Policy LHB25: Rivers & Waterways

"It is Council policy to maintain and protect the natural character and ecological value of the river and stream corridors in the County and where possible to enhance existing channels and to encourage diversity of habitat. It is also policy (subject to the sensitivity of the riverside habitat) to provide public access to riparian corridors to promote improved passive recreational activities".

Policy LHB32: Historic Demesnes and Gardens

"It is Council policy that such historic demesnes and gardens should be identified and protected to reflect and acknowledge their significance as part of the National Heritage. The following houses and gardens are listed: Cabintelly House, Marlay House, Fernhill and Old Conna".

Policy AR1: Record of Protected Structures

"It is Council policy to:

- i. Include those structures that are considered in the opinion of the Planning Authority to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the Record of Protected Structures (RPS).
- ii. Protect Structures included on the RPS from any works that would negatively impact their special character and appearance.
- iii. Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the Department of the Arts, Heritage and the Gaeltacht 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011).
- iv. Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure".

Policy AR2: Protected Structures Applications and Documentation

"It is Council Policy to require all planning applications relating to Protected Structures to contain the appropriate level of documentation in accordance with Article 23 (2) Planning Regulations and Chapter 6 and Appendix B of the Architectural Heritage Protection Guidelines for Planning Authorities, or any variation thereof".

Policy AR3: Protected Structures and Building Regulations

"It is Council Policy to protect the character and special interest of Protected Structures when considering or carrying out intervention to comply with the requirements of the Building Regulations – with particular reference to Part B and Part M".

Policy AR4: National Inventory of Architectural Heritage (NIAH)

"It is Council Policy to review and update the RPS on foot of any Ministerial recommendations following the completion of the National Inventory of Architectural Heritage (NIAH)".

Policy AR5: Buildings of Heritage Interest

"It is Council policy to:

- i. Retain where appropriate, and encourage the rehabilitation and suitable reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of a streetscape in preference to their demolition and redevelopment and to preserve surviving shop and pub fronts of special historical or architectural interest including signage and associated features.
- ii. Identify buildings of vernacular significance with a view to assessing them for inclusion in the Record of Protected Structures".

Policy AR6: Protection of Buildings in Council Ownership

"It is Council Policy to continue to demonstrate the best practice with regard to Protected Structures, Recorded Monuments and often elements of architectural heritage in its ownership and care".

Policy AR7: Energy Efficiency of Protected Structures

"It is Council Policy to have regard to the Department of Environment, Heritage and Local Government's publication on 'Energy Efficiency in Traditional Buildings' and any future advisory documents in assessing proposed works on Protected Structures".

**3.3 Strategy:**

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

dIr Green Infrastructure Strategy:

The Green Infrastructure (GI) Strategy, Appendix 14 of the Development Plan, seeks to provide a vision and a framework to help identify, protect, promote and enhance the GI assets in the urban, rural and coastal environments of the County, and is intended to guide key aspects of planning policy.

The spatial framework identifies the Fernhill Estate as forming an integral part of two GI corridors, linking the mountains, urban area and the coast and providing one of several strategic 'gateway hubs':

*Development of Fernhill Gardens into a Gateway Park / Regional Park will provide a variety of amenities for the County while also providing opportunities for residents or visitors to connect from the urban area of the County with the mountains.*

dIr Open Space Strategy:

The strategy aims to provide a hierarchy of quality parks and public open spaces which vary in size and nature and are designed to serve the needs of all members of the community by being readily accessible and at a convenient distance from their home and/or places of work.

dIr Trees – A Tree Strategy for Dun laoghaire Rathdown 2011-2015:

This strategy aims to standardise and guide the Council's approach to trees throughout the county, provide clarity to actions and decisions, and encourage balanced consideration of individual expectations, public amenity and best practice.

Dun Laoghaire Rathdown Age Friendly Strategy 2016 – 2020:

This strategy requires that design of outdoor spaces and buildings to be age friendly and inclusive. As the site is in a mountainous part of the county, the design of the access, car parking and circulation network has been carefully considered. Given the steep nature of the park, the path network has been designed to ensure multiple seating and resting places with handrails being incorporated on steps and steep ramps. The seating areas will be age friendly in design incorporating multiple arm rests and signage will also be carefully considered. During the detail design stage, additional age friendly initiatives will be explored such as sensory spaces, memory/history trails, etc.

**4. DETAILED DESCRIPTION OF PROPOSED WORKS:**

The nature and extent of the proposed development is outlined below;

Entrances:

- New vehicular entrance shared with Rosemont School.
- Existing entrance on the Enniskerry Road to be upgraded for pedestrian use and occasional vehicular use.
- New pedestrian entrance off the Enniskerry Road in close proximity to the roundabout at Belarmine.

Boundaries:

- Deer proof timber post and steel mesh fencing along the southern, eastern and western boundaries.
- New mesh fencing with gates to match either side of the right of way.

- New piers, steel gates and railings to all entrances for visual permeability and prominence.
- Boundaries to be planted with a suitable screening mix where appropriate.

#### Shared Surface Avenue:

- Shared surface avenue along the western boundary up to the Road Field incorporating pinch points and ramps.
- Informal car park for approximately 44 cars west of the access road in close proximity to the boundary of Rosemont School.
- Pathway to a pedestrian gate on the boundary with Rosemont School for direct access. Control of this gate will be by Rosemont School in accordance with the parks opening hours.
- Informal coach parking alongside the shared surface avenue.

#### Road Field:

- Car park for approximately 49 cars along the northern boundary screened from the south with woodland planting. The required quantity of electrical charge points will also be included at appropriate locations.
- Shared surface plaza with sculptural focal point to act as turning circle. Shared surface road linking to the 9 Acre Field.
- Extensive cut and fill of the existing ground to create the formal active recreation area. Low retaining walls south of the car park area with terracing of slopes south of the active recreation area for viewing.
- Steps to provide access with a long children's slide on the slope with stair lift incorporated in design for disabled access.
- Sports building and viewing area with storage for equipment and goals (see further details below).
- Formal grass active recreation space (approx. 11,750 sq. m) with sand capping for intensive use suitable for multiple sports and games.
- Two lane running track around the active recreation area (400m long).
- Circuitous route around the field including a flat viewing space with extensive seating. Bridge linking the Road Field to the 9 Acre Field to the south.
- Woodland screen planting to boundaries.

#### 9 Acre Field:

- Car park for approximately 70 cars including a minimum of 7 no. disabled spaces along the northern boundary screened to the south by mounding and tree planting.
- Area directly south of the car park to be a playful landscape incorporating grass mounds, sculpture, ornamental planting, toddler play area as well as small wind turbines.
- Perimeter path network with open grassland, grass meadow, screen planting and dogs-off-leash areas for large and small dogs.
- Two bridges linking to the Wood Field.

#### Wood Field:

- Weir constructed to form a linear pond with spill over wetland to attenuate in flash flooding events.
- Wide path at the north of the field to incorporate extensive linear seating.
- Perimeter path network with links to gardens and right of way.
- Grass meadows, tree and woodland screen planting.
- Historic stone lined water channel to be exposed in the field.

- Long linear flying fox following the slope to the south of the field.
- Additional shelterbelt planting alongside existing woodlands.

#### Woodland:

- Boardwalk path network to be put in place with extensive seating, resting and viewing areas - to also act as outdoor classrooms. Movement of pedestrians off the boardwalk to be restricted in certain locations to protect the forest floor and ecology.
- Old woodland tracks to be retained and restored for pedestrian and maintenance access.
- Native woodland planting to be introduced at appropriate locations.
- Opportunities for a small orienteering course to be explored as well as an area for den building.
- Firebreak to be put in place along the southern boundary under the 220 kva power lines.

#### Broadwalk & Gardens:

- The gardens including the plant collections, existing Broadwalk and garden trails to be restored in a sustainable manner. New tree and shrub planting to be introduced at appropriate locations to improve overall visitor experience. Ornamental gardens to be managed as semi-natural wild, in line with the Robinsonian Wild style of gardening.
- New boardwalk path network with extensive seating, resting and viewing areas. The boardwalk will improve access around the gardens and address steep falls and existing steep circulation through the gardens. Movement of pedestrians off the boardwalk to be restricted to protect the sensitive parts of the gardens.
- Low timber and steel fencing to be put in place around the gardens with gates at appropriate locations. The fencing will act to ensure the gardens are protected while retaining their existing tranquil feel. Dogs will be not be allowed in the gardens.
- Opportunities for permanent and temporary sculpture to be considered throughout the gardens. A focal point at the end of Broadwalk to be put in place to address its current abrupt ending.

#### Meadow:

- New path network to follow the line of the historic roadway parallel to the Enniskerry Road with links to the Avenue and house. Extensive linear seating to be put in place to take advantage of the aspect.
- Additional woodland screen planting to be introduced along the northern boundary.
- Species rich grasslands to be managed by light natural grazing for 2-3 months of the year with steel fence in place. During the remaining parts of the year, grass tracks will be cut through the meadows and picnic tables may be placed in appropriate locations.
- Natural wetland area to the west to be maintained and managed as same.
- Existing carpark to be removed with planting and grassland extended.

#### Ornamental Gardens - West of Avenue:

- The ornamental gardens including the plant collections and garden trails to be restored in a sustainable manner. New tree and shrub planting to be introduced at appropriate locations to improve overall visitor experience.

Ornamental gardens to be managed as semi-natural wild, in line with the Robinsonian Wild style of gardening.

Kitchen Garden:

- Kitchen Gardens to be managed as community gardens where local people learn to grow fruit and vegetables while also maintaining some of the more ornamental aspects of the gardens.
- Access to certain parts of the Kitchen Gardens will be restricted to the public except for pre-determined times.
- Existing glass houses and buildings to be restored for horticultural use.

Right of Way:

- The Right of Way will be upgraded in line with the upgrade of the paths in the Three Rock Mountains using locally sourced and naturally occurring materials.
- Some orientation points and information to be put in place along its route.
- Direct links and access will be provided to and from the Right of Way into the park and gardens through gates which will be open during park opening times. The Right of Way will remain open at all times.

Drainage:

- The drainage has been designed in accordance with the GSDSDS with attenuation in soft areas where possible. Surface water design has been undertaken using best practice and integrated Sustainable Urban Drainage Systems in order to replicate the natural characteristics of rainfall run-off from the proposed development. As well as attenuating the water on site, the quality of the surface water will be improved while also providing an amenity through good quality integrated design.
- The Surface water drainage design primarily relates to the new shared surface avenue, the Road Field and the 9 Acre Field. From sample boreholes in this area, the ground percolation appears to be good. Hard standing areas have been designed to be permeable where possible and allow natural infiltration into the ground. For non-permeable paving, surface water run-off has been designed to be directed towards the soft landscape areas, swales and filter drains where it will naturally infiltrate into the ground. Some storage attenuation zones are also proposed in order to reduce the run-off from the site.
- The remaining parts of the site will naturally infiltrate into the ground as they do so at present.
- Rain water harvesting will take place around all buildings for watering trees and shrubs.

Play:

- Main natural adventure play space to be developed in the old orchard area of the park. Its setting in an existing clearance in the woods with the stream alongside and with its proximity to main park facilities makes it the ideal location. The play space will include some adventurous and challenging play units while always encouraging free and natural play using existing resources on site.
- Small fenced off toddler play area to be developed in close proximity.
- Further natural play will be encouraged throughout by strategically placing suitable items which will encourage free play and exploration of nature and the environment.



#### Outdoor Exercise Equipment:

- Outdoor exercise equipment to be strategically placed in the most appropriate location(s) to encourage physical activity which will be suitable for all age groups. This will have an energy generating component which will tie into the overall Sustainability Strategy.

#### Existing Buildings:

- The existing Gate-Lodge just off the Enniskerry Road is currently in use as a residence for a member of staff. It is envisaged that this use as a residence will be maintained.
- The existing Coach House building in the middle of the site is being developed as a tearooms/café. The building is to be upgraded, conserved and restored with a modest extension to the west. The ground floor will incorporate a servery and a seating area with a double height space. Staff preparation and other facilities will be situated on the 1<sup>st</sup> floor mezzanine above the servery area.
- The existing Bungalow building opposite the Coach House is to be demolished and a new building put in place on or close to its existing footprint.
- The existing building to the east of the bungalow will be upgraded and renovated for use as a shop or community facility.
- The existing shed/store buildings will be retained for storage and locating plant as required.
- The development of Fernhill House is outside of the scope of this Part 8. It is envisaged that this will be developed for a wide community use – subject to extensive studies and a further Part 8.

#### Proposed Buildings:

- New Tower building on or close to the footprint of the existing bungalow. This building will be a contemporary design responding to its setting and location. It will incorporate public toilets, staff facilities, community facilities and external seating/viewing areas.
- New sports building at the upper level of the active recreation space. This building will be a contemporary design incorporating timber cladding and a green roof. This building consists of changing rooms, bag store, toilets (accessible externally) with a storage cage alongside for goals, etc.
- New modest eco-type residential unit located below an existing barn structure to the north of the Coach House.

All new buildings will be designed to meet with the requirements of the Near Zero Energy Building standards and will tie in with the overall Sustainability Strategy.

#### Services:

- Existing low voltage overhead power lines as well as other overhead lines throughout the estate to be undergrounded.
- New watermain, sewage, and ducting for electricity, fibre and utilities to be laid on the existing avenue and new shared surface avenue.
- New low voltage LED lighting columns will be put in place along the new shared surface avenue and in the car park in the 9 Acre Field. Additional bollard lights will be put in place from the car park to Fernhill House along the accessible path.
- Should a small sub-station be required, this will be located along the new avenue and screened from view where possible.

Area Under Lifetime Tenancy:

- This area will be developed as a staff depot yard upon completion of the lifetime tenancy agreement.

Other:

- Extensive bicycle parking (included some covered parking) to be put in place at the entrances and car parks and in close proximity to the proposed tearooms.
- Ducting for fibre will be put in place in order to develop the park as a Smart Park.
- Sensory spaces to be developed in appropriate locations along with age friendly initiatives.
- Opportunities for permanent or temporary sculpture to be reviewed at detail design stage.

**5. IMPLICATIONS OF THE PROPOSED DEVELOPMENT FOR THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA:**

It is considered that the proposed development will provide a range of suitable amenities for the County as high quality sustainable Regional Park. Therefore, having regard to the policies and objectives of the 2016-2022 Dún Laoghaire-Rathdown County Development Plan, it is considered that this Part VIII Scheme proposal is in accordance with the proper planning and sustainable development of this area.

**6. APPROPRIATE ASSESSMENT:**

The proposed development is subject to the Guidance for Planning Authorities on Appropriate Assessment of Plans and Projects in Ireland (Department of Environment, Heritage and Local Government, November 2009) and S.I. No. 476 of 2011 Planning and Development (Amendment) (No.3) Regulations 2011. This requires that screening is carried out for all projects to examine if any impacts are likely on Natura 2000 Sites, that is, Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). A Screening Report was prepared by Faith Wilson Ecological Consultants (June 2017) which concluded that a full Habitats Directive Appropriate Assessment is not required. Therefore, in accordance with SI 476, 2011, Section 250, Planning and Development (Amendment) No. 3 Regulations 2011, Dún Laoghaire-Rathdown County Council has determined that an Appropriate Assessment is not required.

**7. INTERNAL REPORTS:**

**Infrastructure & Climate Change – Transportation Planning & Roads Projects Office:**

In correspondence dated 6<sup>th</sup> July 2017 confirmed it has no objection to the proposed development.

**Housing**

In correspondence dated 22<sup>nd</sup> June 2017 confirmed no objections to the proposed development.

**Economic, Community & Cultural Development – Community**

In correspondence dated 30<sup>th</sup> June 2017 confirmed no objections to the proposed development.

**Economic, Community & Cultural Development – Libraries**

In correspondence dated 21<sup>st</sup> June 2017 confirmed no objections to the proposed development.

**Municipal Services – Water & Drainage:**

In correspondence dated 27<sup>th</sup> June 2017 and subject to compliance with the EPA Code of Practice, confirmed no objections to the proposed development.

**Corporate, Communications and Governance Department:**

In correspondence dated 16<sup>th</sup> June 2017 confirmed no objections to the proposed development.

**Architects Department:**

In correspondence dated 10<sup>th</sup> July 2017 confirmed it has no objection to the proposed development.

**Architects Department – Conservation:**

In correspondence dated 29<sup>th</sup> June 2017 confirmed it has no objection to the proposed development.

**Planning and Organisational Innovation Department:**

Confirmed it has no objection to the proposed development on the 11<sup>th</sup> July 2017.

**8. STATUTORY BODIES / ORGANISATIONS:**

The following Statutory Bodies were consulted as part of the public consultation;

- An Taisce,
- Department of Culture, Heritage and the Gaeltacht
- Minister Heather Humphries, T.D, Minister for Arts, Heritage and the Gaeltacht
- The Arts Council of Ireland
- Irish Water
- The Heritage Council
- Failte Ireland

Replies were received from the following bodies:

**Irish Water:** In principle Irish Water has no objection to the proposal. They have included a number of standard conditions relating to the connections and capacity.  
Response: DLRCC agree to comply with these conditions.

**Department of Culture, Heritage and the Gaeltacht:** Recommended that DLRCC engage the services of a suitably qualified archaeologist to advise on archaeological impacts and likely archaeological impacts that may derive from proposed new works within the park.

Response: DLRCC will engage the services of a suitably qualified archaeologist to advise and will send further correspondence to the Departments DAU as required.

**An Taisce:** The issues raised are listed in the summary of submissions/observations below.

**Department of Culture, Heritage and the Gaeltacht** (late submission – 28<sup>th</sup> August 2017): Submission welcoming the approach to the conservation of flora and fauna and recommending the items outlined in the Ecology & Horticulture report be implemented.

Response: DLRCC intend to implement all aspects of the Ecology & Horticulture report and will send further correspondence to the Departments DAU as required.

## **9. SUBMISSIONS/OBSERVATIONS:**

In accordance with Part 8, Article 81 of the 2001 - 2017 Planning and Development Regulations, the Council gave notice of the proposed development in the Irish Times on Wednesday the 12<sup>th</sup> July 2017. Plans and particulars of the proposals were available for inspection from 12<sup>th</sup> July 2017 up to and including the 9<sup>th</sup> of August 2017. A public information evening was held in Sandyford Community Centre on Thursday the 27<sup>th</sup> July 2017 between 20:00 – 22:00. A guided public visit also took place in Fernhill on Saturday the 29<sup>th</sup> July from 10:00-12:00.

Submissions or observations with respect to the proposed development were invited to be made either in writing or online via the dlr Consultation Hub on or before the 23<sup>rd</sup> August 2017.

A total of 21 submissions were received by Dun Laoghaire Rathdown County Council - 5 in writing and 16 via the dlr Consultation Hub within the timeframe allowed. One late submission was received from the Department of Culture, Heritage and the Gaeltacht. 4 submissions from statutory bodies/organizations are outlined in section 8 above. There is 1 duplicate submission.

The submissions were largely in support for the proposed development with some queries/concerns made. The submissions are duly noted and have been assessed accordingly.

A summary of all submissions received by Dun Laoghaire Rathdown County Council are contained within this report. For each submission, a Chief Executives response is included.

Public Submission & Responses:

Ref	Query/Concern:	Response
1	dlr Water & Drainage: Requires that no surface water be piped directly to the stream or nearby roads surface water system.	Accepted.
2	<p>An Taisce: The exclusion of Fernhill House from the overall plan for the estate would risk the house being left without the necessary Conservation works to ensure its future use. The plans and reports suggest that work on the building is urgently required if deterioration of the Protected Structure is to be prevented.</p> <p>Concerned that Fernhill House could be left unused. In this case, the house is intimately connected with the gardens around it and must be seen as part of them. Suggest a tearoom/café and historical and local industrial heritage interest should be located in the house as part of plans for its re-use. The conservation of Fernhill House itself should be included in the present Part 8 proposal in accordance with Specific Local Objective 36. If this is not possible, a binding commitment must be given to bring forward a further Part 8 proposal within a specified period, so that the conservation and plans for re-use of the house do not fall significantly behind the development of its gardens.</p>	<p>The necessary repairs and upkeep of Fernhill House are being undertaken as required in order to arrest its degradation.</p> <p>Prior to proposing use/uses for Fernhill House, a number of studies will be required to ensure its proposed use/uses are suitable and viable. Following this, architectural design drawings will be required. This is likely to take some time in order to propose a suitable and sustainable use for the house. It is the intention to have the house available for a wide community use with a strong connection to the gardens and park. The Council are committed to bringing forward a Part 8 for Fernhill House within the lifetime of the current County Development Plan (2016-2022).</p>
3	<p>Adjoining neighbor fears that the proposed developments will endanger existing peace and security and subject them to unendurable noise and nuisance, greatly reduce the value of their house and grounds forcing them to sell and move away. Request the car and bus parking could be moved to the other side of the Road Field - if not perhaps a substantial stone wall would contain some of the noise.</p> <p>Concern that the proposal to mix</p>	<p>Screen planting can be undertaken on the boundary fence to reduce noise and screen the views. Additional noise barrier will also be considered as required. Minor non material alterations to the car parking layout can be reviewed at detail design stage. dlr Parks will actively engage with the owners of this property in order to achieve an acceptable solution.</p> <p>Potential traffic problems can be</p>

Ref	Query/Concern:	Response
	<p>Rosemount School Traffic with fernhill Traffic - possible mix of 200 cars and buses daily attempting to pass in and out of a small entrance - will cause traffic problems.</p> <p>Suggests a separate entrance for Fernhill traffic perhaps at the curve in the Enniskerry road which would also provide good site lines.</p>	<p>designed out at detail design stage. The existing Rosemont entrance is considered adequately sized. dlr Traffic have been part of the steering group for the feasibility and design stages and will continue in this role throughout the detail design. Engineering consultants will be engaged to undertake the detail design of the new junction, roads and car parking.</p> <p>This was explored during the Feasibility Study and the proposed vehicular entrance was considered the best option on a number of grounds. The location as suggested is not being considered because of restricted visibility requiring removal of trees and heritage boundary features, insufficient width for a filter lane and vehicles entering a highly sensitive part of the site.</p>
4	Requests a fenced off area for dogs to run off lead.	Included at the top of the 9 Acre Field.
5	Requests dog off leash times like there is in Bushy park in the mornings and evenings.	Given the nature of the site and the ornamental aspects of the gardens and woodlands, this is not considered appropriate.
6	<p>Pleased to see a community garden included but thinks that not to provide allotment spaces for local residents will be a missed opportunity to bring the community together.</p> <p>Concerned about the lack of active work being done in the kitchen garden and borders - nettles and briars if left unattended to soon form an impenetrable root system that can only be dealt with using poisons or grubbing up. This will mean the loss of specimen plants as well as lasting damage to the soil system. There are volunteers available who are familiar with Fernhill - urge us to use them.</p> <p>Requests bird hides for birdwatchers or bat observation. This means that</p>	<p>The community garden will be used as a tool to bring the community together. Allotments are considered a more private use rather than communal as proposed here.</p> <p>Maintenance work to try to maintain existing plant collections is being undertaken throughout Fernhill. Once a head gardener is in place, we will consider the use of volunteers.</p> <p>Fernhill is mainly a site with woodland and hedgerow birds with some birds</p>

Ref	Query/Concern:	Response
	<p>keen birdwatchers can enjoy their hobby no matter what the weather is doing.</p>	<p>using the meadows. There are limited places to put a hide that would provide a great benefit, large enough and positioned in a place where a lot of birds would be in view. There will be multiple seating and resting areas on the proposed boardwalk sheltered in trees which would provide an opportunity for bird and bat observation.</p>
7	<p>Suggests amending current route of the Right of Way walk from where it enters adjoining private land and re-route through the 'Herd Field' which is part of the Fernhill estate. This would enable a greater amount of the walk to be retained in public ownership and maintained to appropriate standards for such a wonderful amenity. This part of the current route can get quite muddy and has numerous protruding tree roots.</p>	<p>Given the current route of the Right of Way is in place for in excess of 150 years, altering its route is not being considered for heritage purposes. We will seek to make surface improvements where possible.</p>
8	<p>Important that the beautiful trees that line the Estate are kept, I presume there is no intention to cut these down.</p> <p>Given that the estate is accessible via luas (Glencairn), important that people will be encouraged to use public transport and walk/cycle to access it. Therefore car parking spaces should be provided but not too many.</p> <p>There is also an underused car park right beside the gardens so arrangements should be made with pitch and putt course for this to be used rather than tarmac more of the gardens themselves</p> <p>Queries why sports building is necessary? We have very good sports facilities in Ballyogan and Ballinteer. What will be the function</p>	<p>The vast majority of existing trees are being retained. Some less significant trees are being removed to facilitate safe entrances. All details can be found in the tree survey drawings.</p> <p>Visitors will be encouraged to arrive on foot or by bike by having the primary entrances suitable for pedestrian/cycle access only. The number of car parking spaces has been well considered throughout the design and not considered excessive. The car parking is located away from the existing gardens in the low/medium sensitive zones of the site.</p> <p>This option may be explored in the short term.</p> <p>Existing buildings have been assessed for suitability and determined that none of these are suitable given their location and setting. The proposed</p>

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	<p>of this building mentioned in the plans? Why is it necessary? The less additional construction the better - could existing buildings not be used/adapted</p> <p>It is very important that the integrity of the gardens are maintained - it would be very unfortunate if they were to be very sanitised.</p> <p>Concerned whether dogs (on leads) will be allowed. Regular user of the right of way with the dog like many local residents. Assume that this will not be affected by the development</p> <p>When the redevelopment starts, council will need to carefully consider traffic management for those needing to access the site. Lamb's cross is a busy junction particularly between 8.30 and 9.15 and there is also planned construction just opposite the site.</p>	<p>sports building is modest in size and is being located adjacent to the proposed active recreation area. It is the intention that this will be used by young children and having a building and toilets in close proximity is considered essential.</p> <p>The integrity of the gardens will be retained and improved upon.</p> <p>This will not be effected by the proposed development. Dogs on leashes will be allowed anywhere in Fernhill excluding the gardens.</p> <p>d/r Traffic have been part of the steering group for the feasibility and design stages and will continue in this role throughout the detail design. Engineering consultants will be engaged to undertake the detail design of the new junction, roads and car parking. Traffic management will be well considered prior to works commencing and will be monitored on an on-going basis.</p>
9	<p>To ensure the park effectively benefits the whole community.</p> <p>The park needs to have a robust strategy and plan in place for dealing with anti-social behaviour. It is key that the park is perceived by the community as an extremely safe place to visit for young children and elderly people.</p> <p>The park should be a means to cultivate in visitors a critical appreciation and respect for the natural environment. All people attending our park should actively want to protect and look after it.</p>	<p>The park has a wide variety of uses to benefit the community.</p> <p>A plan will be put in place to deal with anti-social behavior as required. The park will be a locked park open at similar times to Marlay &amp; Cabinteely parks. Boundary treatments will be upgraded to improve security.</p> <p>This will be promoted in line with the Fernhill Park &amp; Gardens Sustainability Strategy.</p>
10	<p>There is a lack of provision of playing pitches. There is an acute lack of playing pitches in the County for all sports and there is a great opportunity to insert at least one, if</p>	<p>Given the topography and sensitivities of the site, this site does not have capacity for many pitches. However, there is a large active recreation area proposed in the Road Field and a large</p>



Ref	Query/Concern:	Response
	not two pitches into this new park - perhaps where some of the back fields are located now.	grass area in the 9 Acre Field retained for informal active recreation. The active recreation area in the Road Field is large enough for full sized soccer and rugby or small sided gaelic games and also incorporates a 400m running route. It is envisaged that these areas will be used by underage teams and local schools and permanent goals may not be required.
11	Suggests a separate gardening area for children almost like a "creche" concept whereby children would have the opportunity to come in and for example have hands on experience sowing seeds and plants which could be on display for others to see as their produce grows. They would be welcome to come in on specific days under supervision to learn how to sow, maintain, water and harvest a selection of everyday types of vegetables, salad, herbs and fruit.	It is envisaged educating children about growing will be part of the management of the community garden.
12	<p>Disability Consultation Group (DCG) very much appreciated the opportunity to see at such an early stage the proposed plans and having the opportunity to seek clarification on a number of issues around the proposal and yet acknowledging the challenges, to protect the locations green space and yet address how best to incorporate good access for both the general public and those less abled.</p> <p>DCG very much welcome the efforts dlr Parks intend to make in developing the site with so many challenging gradients, while committing to maintain and create a high focus on accessibility for all. A number of observations &amp; suggestions were made on the day of the visit and in the submission including; high quality facilities for those with disabilities, well placed selection of disabled parking, shelter areas, assistance vehicles, audio points, suitable path surfaces, accessible signage, vegetable garden</p>	dlr Parks will engage further with the Disability Consultation Group (DCG) at detail design stage and incorporate as many suggestions as possible while keeping the Project Aims & Objectives to the fore.

Ref	Query/Concern:	Response
	for disabled, opportunities for employment of staff with disabilities.	
13	<p>Concerned that cyclists may be allowed too much latitude here - in a place where tranquility and beauty must reign supreme!</p> <p>Observation that dogs on leashes are more anxious and troublesome than those off leashes that are allowed space. Recommendation is that there should be no defined rule concerning dogs except for banning certain dogs and requesting dog owners to 'poop scoop'.</p> <p>It might also be a good idea if a season (annual) admittance ticket could be made available to admit cars. It seems to work well elsewhere and those who avail of it treat it as a 'membership' and tend to act as caretakers to their treasure!</p>	<p>Visitors will be encouraged to arrive on foot or by bike. However, cyclists will not be encouraged to cycle through or around the park. There will be adequate cycle parking at the most appropriate locations.</p> <p>There will be a dogs-off-leash area at the top of the 9-Acre-Field. Dogs will be required to be on a lead in the remaining areas of the park excluding the gardens where they will not be permitted.</p> <p>As this will be a public park, admittance tickets will not be required.</p>
14	Making Fernhill House and Gardens as accessible as possible for people with impaired vision. Submission included a long list of suggestions regarding buildings and the park/gardens incl. signage and wayfinding, lighting, reception suggestions/general information, stairs & steps, paths, nature trails and circulation, sensory garden, accessible playground, etc.	dlr Parks will engage with the NCBI at detail design stage and incorporate as many suggestions as possible while keeping the Project Aims & Objectives to the fore.
15	<p>Would like to see bike tracks, large playground like Marlay park and football pitches.</p> <p>Suggestion to give part of the site to the new Educate together secondary school.</p>	<p>The design has been formulated following a detailed analysis of the site and considerable consultation with our stakeholders. Bike tracks are not considered appropriate because of the sensitivities of the site. Active recreation areas and an adventure play space are included as part of the design.</p> <p>Local schools will be encouraged to use the site in partnership with dlr.</p>

Ref	Query/Concern:	Response
16	<p>Proposal to host an outdoors based playgroup in the Fernhill. It would be a non-profit group for local families. Activities would include nature walks, bird walks, bug hunts, pond dipping, scavenger hunts, arts and crafts using collected natural mediums, games, etc.</p> <p>Proposal to help develop a community in the Fernhill estate. To assist with the Community gardens (with the children ideally) and any other family friendly activities.</p>	<p>We will consider these proposals as part of the management of Fernhill Park &amp; Gardens.</p>
17	<p>Request to provide allotments for use by local residents as part of the facilities where community gardens could be expanded. Preferable close to Enniskerry Road for ease of access.</p> <p>Observation regarding a great number of parking spaces including bus parking spaces provided. Request that parking and hard surfacing be reduced. Request to have vehicular access restricted to the areas closer to Enniskerry Road and the main house area as it seems contrary to promotion of local ecology to take buses and cars all the way up the hill.</p> <p>Observation that the landscape design has a strong focus on ecology and promoting of local habitats and it would be great if this can be promoted as much as possible.</p> <p>Request that the current character of the gardens and the hidden forest path from Belarmine roundabout to Barnacullia be retained rather than a traditional park with wide paths, trees and large areas of lawn.</p> <p>Similarly we recommend public lighting be kept to a minimum and dimmable at night/with motion detection.</p>	<p>The community gardens will provide opportunities for local residents to grow as a community. Allotments are not considered appropriate in this location.</p> <p>The number of car parking spaces has been well considered throughout the design and not considered excessive. The car parking is located away from the existing gardens in the low/medium sensitive zones of the site. Because of the steep nature of the site, car parking is proposed in a central location for accessibility purposes.</p> <p>This will be promoted and encouraged throughout Fernhill Park &amp; Gardens.</p> <p>The character of the site will be protected in accordance with the Project Aims &amp; Objectives.</p> <p>Public lighting will be kept to a minimum and fitted with motion detectors as required. Lights will only be on as required for the safety of the users.</p>

Ref	Query/Concern:	Response
	Query re public events such as music concerts are not being considered for the area.	Large music concerts are not being considered for Fernhill.

## 10. **RECOMMENDATION**

The proposed development of Fernhill Park & Gardens, Stepside, Co. Dublin with Works within the Curtilage of the Protected Structure (Fernhill House) is considered to be in accordance with the provisions of the 2016 - 2022 Dún Laoghaire-Rathdown County Development Plan and with the proper planning and sustainable development of the area. It is recommended that a decision be made by the Elected Members of the Council to **proceed** with the proposed development in accordance with the drawings, which were on display and to any such minor and immaterial alterations to the plans and particulars of the development.

Subject to the above approval, 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.

Ruairí O'Dulaing, Senior Parks Superintendent

## Appendix A

### List of Persons/Bodies Who Made Submissions

- Suzanne Dempsey, Irish Water
- Bernard Egan, dlr Water & Drainage Planning
- Andrew Parkes , An Taisce
- Mr. Simon Dolan, Dept. of Culture, Heritage & the Gaeltacht
- Wallace J Reid
- Rachel Flynn
- Audrey Walker
- Caroline Jolley
- Oliver O'Brien
- Hilary Daly
- Alan O' Tuathaigh
- Senator Neale Richmond
- Rosemary O'Flynn
- Jennifer Rowe
- Disability Consultation Group (DCG)
- Robert Hall
- Fiona Kelty, NCBI
- Stephen Connolly
- Laura Jayne Merren
- Luise Volschenk
- Sinead O'Brien, Dept. of Culture, Heritage & the Gaeltacht (late)