



An
Bord
Pleanála

Inspector's Report PL06F.247298.

Development	New vehicular entrance driveway and parking area to serve Knockmaroon Lodge (Protected Structure), traffic calming, pedestrian crossing on Knockmaroon Hill and removal of stone pier under bridge.
Location	Knockmaroon Lodge, Knockmaroon Hill, Castleknock, Dublin 15.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	FW16A/0102.
Applicant(s)	Dun Ardagh Holdings Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant with conditions.
Type of Appeal	Third Party
Appellant(s)	Chapelizod Old Village Association.
Date of Site Inspection	15 th December 2016.
Inspector	Deirdre MacGabhann.

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1.0 Site Location and Description

The proposed development is situated to the west of Phoenix Park and to the east of the River Liffey, just north of the village of Chapelizod in Castleknock, Dublin 15. It comprises lands to the west of the R109, at Knockmaroon Hill and includes the property 'Knockmaroon Lodge' and land to the west and south of the property (Drawing 6096/350).

Knockmaroon Lodge (photograph 2), which is also known as South House or Knockmaroon House, is part of the Glenmaroon House Complex, a Protected Structure which includes the Lodge, to the west of the R109, and Glenmaroon House on the eastern side of the road. The properties are currently linked via two pedestrian bridges over the R109 (photograph 3).

Knockmaroon Lodge directly abuts the pavement (photograph 2). Associated lands, forming part of the appeal site, are separated from the Regional road by a high stone wall. The main entrance to the property faces south (photograph 14) and overlooks two terraces. The rear of the property overlooks an overgrown terrace which extends to the west of the property (photographs 18 and 19). The upper terrace has a four Yew trees and a prominent Cedar tree (photograph 15, 16). The lower terrace has a two recessed arched chambers overlooking an ornamental pond (photograph 17). The property is currently vacant and the terraces are overgrown.

To the north of the appeal site lies St. Michaels School, catering for children with a learning disability. To the north of the school is the Daughters of Charity, St. Louise's Centre. This facility comprises 9 no. sheltered residential units and associated care services for residents and non-residents. Access to St. Michaels is direct from the R109 to the east of the school. An internal access road from the school grounds provides access to St. Louise's Centre. However, this site is also accessed from the crossroads junction to the north of the site. To the north of the crossroads is Mount Sackville Secondary School.

Knockmaroon Hill is a narrow, steep road with high stone walls on both sides. There is a narrow pavement along its western side which extends from just north of the base of the Hill to St. Michael's School. On the eastern side of the road a footpath extends from the entrance to Glenmaroon House (opposite the entrance to St. Michaels) to the abutment under the northernmost pedestrian bridge (photograph 3).

To the south of Knockmaroon Hill is a pedestrian crossing, with anti-skid material on the eastern carriageway, and a raised carriageway adjoining an access to a residential development (photograph 1). The R109 is a busy Regional road and as it continues towards Chapelizod the road is typically narrow, with development hard up the pavement. The carriageway has a number of ramps along it to reduce traffic speeds.

2.0 Proposed Development

The proposed development comprises:

- The creation of a new vehicular entrance to Knockmaroon Lodge, direct from Knockmaroon Hill, by forming an opening in the existing boundary wall.
- The creation of a driveway, parking area and provision of landscaping on the first terrace below the main house (see Landscape Section and Elevations, Drawing No. 6096-353). Works include removal of three existing Yew trees and their replacement with semi-mature Yew trees.
- Traffic calming and pedestrian crossing facilities on Knockmaroon Hill, uphill of the proposed entrance (with one crossing north of the entrance to St. Michael's School and the other to the north east of Knockmaroon Lodge itself).
- Removal of the stone pier under the existing concrete bridge structure. (Permission was granted for the removal of the concrete bridge under PA Ref. FW14A/0072/ PL06F.243784).

A *Traffic Access Report* (ROD, 2016) deals with each of the issues raised by the Board in respect of the previous application for access to the site from Knockmaroon Hill (PL06F.244325). It includes details in respect of traffic calming measures, sightlines, forward visibility, adequacy of bell mouth entrance, swept path of larger vehicles, use of site and trip generation and suitability of alternative entrance at bottom of Knockmaroon Hill.

The applicant states that access to the site would originally have been possible from three points from the public road but that these are no longer suitable, available or are problematic. They state that access is essential to sell the property and to

secure its future and that they would be satisfied with a condition that the gateway and parking area (for 4 to 5 cars) be used solely in relation to the occupation of the property.

A *Conservation Report* (Noel Kidney, 2016) describes the history of the site at Knockmaroon and Glenmaroon. It notes the absence of any direct vehicular access to the main entrance to the house at the base of the campanile and considers that the proposed entrance offers good proximity to the house entrance, requires minimal intervention into the overall fabric of the property and does not result in the introduction of vehicles onto the entrance terrace of the house (which has not been done to date).

A *Tree Survey Report* (BSM, 2016) identifies five trees on the appeal site, four Yew trees (Category B, moderate quality and value) on the first terrace below the main house and a Cedar tree, also on the terrace but located 1200mm back from the brick retaining wall supporting the terrace. The report states that the Cedar tree, which is causing cracking in the 'Garden Room', is now rated as Category C (low quality and value) from its previous Category A status (high quality and value). The report states that whilst the physiological condition of the tree has not changed, failure to remove the tree in the medium to long term will result in the collapse of the recessed arch chamber, section of the retaining wall and the tree itself, consequently life expectancy of the tree is considerably reduced. The report states that in the medium to long term the tree needs to be removed. In the short term, it recommends that the crown is reduced and thinned.

A *Stage 1 Screening for Appropriate Assessment* (BSM, 2016), concludes that by virtue of the absence of any direct link between the proposed development and European sites and the proposed standard mitigation measures, the development, by itself or in combination with other development, will not result in any likely significant effects on any Natura 2000 site.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission for the proposed development on the 30th August 2016, subject to 9 conditions. Most of these are standard, the remainder are summarised below:

- No. 2 – The proposed entrance and parking area shall be used solely in conjunction with Knockmaroon Lodge. The extent of the driveway and parking area shall not exceed that indicated on drawing no. 352.
- No. 4 – Requires the applicant to submit, for written agreement, details in respect of external finishes and construction methodology. Requires that no works shall be carried out until the permanent stabilisation of the arches of the garden rooms and retaining walls are completed.
- No. 5 – Requires that a suitably qualified arborist/landscape professional oversee design and implementation of tree protection works, payment of a tree bond and protection of the Cedar Tree during development.
- No. 6 – Requires the applicant to submit, for written agreement, details in respect of the proposed traffic calming measures, crossing points and reinstated area between the public road and Glenmaroon House. Requires that construction of the proposed entrance shall not commence prior to the removal of the bridge and abutment.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report of the 30th August 2016 describes the proposed development, the observations made, the planning history of the site, technical reports and local objectives in respect of the site. In its assessment the following comments are made:

- The preservation of the building is considered paramount for the area. In order to achieve this some level of re-invention is required to make the Lodge an independent house and this is considered appropriate

- The applicant is willing to accept a condition that the proposed entrance can only be used in relation to occupancy of Knockmaroon Lodge. Any future change of use would require planning permission and be assessed on its own merits.
- Of the alternatives available, the proposed new entrance at the proposed location is considered to be the most appropriate from a planning perspective.
- The development will open a view south across the Liffey Valley SAAO which would be in accordance with Objective SA03 of the Fingal CDP 2011-2017.

The report recommends granting permission for the proposed development subject to 9 conditions.

3.2.2. Other Technical Reports

The following technical reports are on file:

- Environment and Water Services (19th August 2016) – Recommends two conditions to be attached to any grant of permission and a third condition which refers to controlling contaminated surface water runoff to prevent discharge to the River Liffey.
- Conservation (19th August 2016) – States that the proposed vehicular entrance is acceptable as it is for a limited area of parking, is sensitively designed to blend into the garden terrace setting and entrance gates are simple in style. It recommends conditions to be attached to any permission. The report makes no objections to the removal of the stone pier to the boundary wall of Glenmaroon House, again subject to conditions.
- Transportation (26th August 2016) – The report considers that the proposed sightlines, forward visibility, provision of crossing points and autotrack analysis are acceptable in principle and recommends conditions to be attached to any grant of permission.
- Parks (25th August 2016) – The report states that the proposed development is acceptable subject to conditions, including protection of the existing Cedar tree on the site during construction work.

- Water Services (25th July 2016) – No objections subject to standard conditions.

3.3. Prescribed Bodies

Irish Water raise no objections in respect of the application (26th July 2016), subject to conditions in respect of connection to the public water supply/wastewater network.

3.4. Third Party Observations

On file is an observation from Chapelizod Old Village Association (COVA). It makes the following comments:

- Traffic:
 - The development will cause a serious safety issue for residents, pedestrians and other road users. The carriageway of Martin's Row/Knockmaroon/Strawberry Beds is too narrow in places to allow two vehicles to pass in safety. The provision of an additional vehicular entrance on this already non-conforming carriageway, and in parts only one narrow footpath, within meters of 'The Bower House', a blind bend, will put other road users and pedestrians in danger.
 - The applicant's report on traffic by Roughan & O'Donovan (2016), is inconsistent with the Traffic Management Plan they prepared in respect of Chapelizod and environs (which included Knockmaroon Hill and Martins Row) for Dublin City Council in 2005.
 - The planning authority's Transportation Section has previously raised issues concerns regarding the proposed access (under PA Ref. FW14A/0071).
- Pedestrian Safety – There is one narrow footpath on Knockmaroon Hill. It is discontinuous and requires pedestrians to cross and re-cross the carriageway. Secondary pupils attending Mount Sackville Convent (c.500m to the north of the appeal site) from Chapelizod village will be in greater danger if the proposed development is granted. The proposed dipping of the footpath at the proposed entrance will encourage traffic to mount the footpath. The

planning authority should raise the footpath to prevent this happening as they have done along Tower Road. The planning authority are applying different standards in same area.

- Precedent – The Board’s previous reason for refusing permission for the development still applies, including the unspecified occupant of property.
- Alternative access – There are two current accesses to Knockmaroon Lodge. Both are in use and have proven safety standards. The optimum entrance for the proposed development is at the foot of the hill. The gated entrance is currently shared by one householder, provides access to the pump house (maintained regularly by the County Council), lower lands used by Glen College and provides pedestrian access to two cottages. Since the closure of Glen College the internal laneways have become overgrown e.g. with saplings. The applicant is exaggerating the cost and amount of structural work needed to reinstate the internal roadways. One of these routes can be selected to form the new ‘grand entrance commensurate with the House’. The internal driveway, arriving at the west side of the House, would facilitate mobility impaired users and deliveries, would avoid having to use the arched terrace with specimen trees for parking.
- Impact on future public amenity use of woodlands – The applicant states that the use of the alternative southern entrance would impact on possible future public amenity use of woodlands and the lower valley area. Question why is this issue so important to this planning application.
- Conservation/Heritage/Special Amenity Area Order – Knockmaroon Lodge, a Protected Structure, lies within a Conservation, Heritage and Special Amenity Area Order. The proposed access to the protected structure is superfluous as already stated there is an established entrance at the foot of Knockmaroon Hill.

4.0 Planning History

The following planning applications are relevant to the appeal:

- PA Ref. FW14A/0071/PL06F.244325 – Permission was granted by the planning authority but refused on appeal by the Board for the creation of a new vehicular entrance, at the location of the proposed entrance, to Knockmaroon Lodge, associated site works and landscaping. The application was refused for the following reason:

‘The proposed new entrance faces onto a narrow road alignment which incorporates a steep incline and where sightlines are restricted particularly in a south eastern direction. Given the paucity of information in regard to the existing and future use and future intensity of use of the main house (Knockmaroon Lodge), the Board is not satisfied that the proposal would not give rise to traffic hazard or that the proposal would not interfere with traffic safety on the road fronting the site. The proposed development, would therefore, endanger public safety by reason of traffic hazard’.

- PA Ref. FW14A/0072/PL06F.243784 – Permission was granted by the planning authority and upheld at appeal by the Board for the removal of two pedestrian bridges connecting Glenmaroon House and Knockmaroon Lodge and associated site works.

5.0 Policy Context

5.1. Development Plan

The appeal sites falls within the administrative area of the Fingal County Development Plan 2011 to 2017. It lies within lands zoned High Amenity alongside the River Liffey. The lands associated with Knockmaroon Lodge (but not the house itself) are located in the Liffey Valley SAAO. The site also lies to the north east of the Liffey Valley pNHA (see attachments).

The Glenmaroon House complex is identified as Protected Structure No. 756 in the Appendix to the Plan. It is described as the complex of buildings on both sides of Knockmaroon Hill including two houses, railing and gates.

Policies of the Plan afford protection to the following:

- Lands zoned High Amenity (Policies HA01 and HA02) – These policies seek to protect high amenity areas from inappropriate development and to reinforce their character, distinctiveness and sense of place.
- The Liffey Valley SAAO (Policies SA01 and SA03) – These policies seek to protect and enhance the character, heritage and amenities of the Liffey Valley Special Amenity Area in accordance with the relevant Orders, and whilst facilitating public access.
- Proposed Natural Heritage Areas (Policies BD 15 and BD 16) – These policies seek to protect the ecological integrity of proposed NHAs and ensure that development does not have a significant adverse impact on them.
- Protected Structures (Policies AH 13 and AH14) – Policy AH 13 of the Plan seeks to ensure that any development affecting a Protected Structure and/or its setting is sensitively sited and designed and compatible with the special character of the structure. Policy AH 14 encourages the sympathetic and appropriate reuse, rehabilitation and retention of Protected Structures and their conservation to a high standard.

Transportation policies seek to restrict unnecessary new accesses directly off Regional Roads (Policy TO49) and ensure that new entrances are located in such a manner as to provide effective visibility for both users of the entrance and users of the public road (Policy TO51).

5.2. Natural Heritage Designations

The River Liffey is c.170m from the appeal site, at its closest point. It flows directly into Dublin Bay, where the following natural heritage designations apply:

- South Dublin Bay cSAC.
- North Dublin Bay cSAC.
- South Dublin Bay and River Tolka Estuary SPA.
- North Bull Island SPA.

Natura 2000 sites are afforded protection under Policy BD12 of the Fingal County Development Plan 2011-2017.

5.3. Design Manual for Urban Roads and Streets

DMURS (2013) set out the following standards for forward visibility and sightlines for urban roads with a speed limit of 50kmph:

- Forward visibility – 45m (stopping site distance).
- Sightlines – 45m in each direction at a 2.4m setback from the edge of the carriageway.

6.0 The Appeal

6.1. Grounds of Appeal

In their grounds of appeal, the third party appellant, Chapelizod Old Village Association, states that the planning authority has failed to adequately consider:

- The adverse effect of the development on road safety, health and quality of life to residents, general public and school goers of the busy, environmentally delicate infrastructure of narrow road and footpath from Chapelizod village to the Strawberry Beds.
- The effect of the development on the Protected Structures of the garden of Knockmaroon Lodge, including the recessed terrace arch chambers, retaining wall and established Yew Trees and Cedar.
- The impact of the development on the Conservation/Heritage/SAAO of the very special and unique historical area between the Phoenix Park and Liffey Valley.

The appellant re-iterates issues raised in their observations to the planning authority (summarised above). Additional points are summarised below:

- Proposed new gateway entrance - The proposed development does not accommodate larger vehicles seeking to access the site or fire vehicles, which presents a further hazard to traffic and pedestrians. Cars exiting the site will have their vision of traffic descending Knockmaroon Hill blocked by the proposed railings and wall. Vehicles exiting the site will extend over the footpath and at times the roadway to gain clear sightlines.

- Pedestrian crossing - The pedestrian crossing at the top of Knockmaroon Hill will cause traffic chaos, due to the gradient, as motorists fail to restart once stopped and slide back into vehicles behind them. In icy weather, and with problems of surface water on Knockmaroon Hill, vehicles may not be able to stop.
- Speed of planning permission – The planning application for the proposed development was lodged during the summer holidays. Planning permission for the development was granted very speedily.
- Alternative access options should be seriously considered. The existing access routes to the north and south of Knockmaroon Hill are currently in use and have proven safety standards. Both options could provide access to the Lodge without impacting on third parties or the terrace to the rear of the property. Reconstruction would be necessary but would be similar in scale to that required for the proposed development (structural reinforcement of terrace). Use of the southern entrance could provide for those whose mobility is impaired and would not interfere with the existing terrace and associated trees. The appellant cannot understand how use of the internal driveway would impact on any future public use of the lower valley lands.
- The development would add to road closures in the area.
- Impact on protected structure (garden of Knockmaroon Lodge, recessed terrace arch chambers, retaining wall, Yew trees and Cedar tree).
- Impact on conservation/heritage/SAAO of the very unique and historical area between Phoenix Park and Liffey Valley.

Attached to the appeal are two letters from local residents objecting to the application for the proposed development on the grounds of traffic and pedestrian safety.

6.2. Applicant Response

The applicant responds to the appeal in their letter to the Board of the 20th October 2016. They refer to matters raised in the inspector's report under PL06F.244325 and those raised by the third party appellant.

6.2.1. Matters Raised in Inspector's Report of the 2014 Application

- Speed of traffic on Knockmaroon Hill – Actual traffic speeds observed at St. Michael School are set out in the Traffic Access Report. Traffic slows down in advance of the steeper incline and bend in the road. The proposed ramped pedestrian crossing will typically reduce traffic speeds to 30kmph or bring traffic to a stop if people are crossing the road.
- Provision of anti-skid surface – In this application a more strategic and robust approach to reducing vehicular speed has been adopted and does not require anti-skid surfacing. The proposed measures will reduce traffic speeds and will enhance road safety characteristics of Knockmaroon Hill for all road users.
- Removal of stone pier – This was not proposed in the previous application. Its removal, as part of this development, will increase forward visibility sightlines for downhill traffic to 62m and permit forward visibility to any slow moving or stationary vehicle at the proposed entrance. This will significantly improve the existing safety regime at Knockmaroon Hill.
- Gate recess – The gate recess has been increased from the 2014 application to 7m at centre, and to almost 11m at the southern side of the gateway. Gates will be electronically controlled. Frequency of larger vehicles will be small but drivers will be able to call in advance and have the gates opened by the occupier prior to arrival.
- Swept path analysis – Included for proposed development.
- Future use of Knockmaroon Lodge – Red line boundary includes Knockmaroon Lodge. The applicant has invited a condition of the permission that the gateway and parking be limited for the sole use of the occupancy of Knockmaroon Lodge
- Use of southern access - Use of the southern access would require significant felling of woodlands, interference with folly and yew trees at western end of principal terrace. Arboriculture value of many individual trees may not be as high as specimen trees elsewhere the extent of removal would impact on the integrity of the historic setting of the existing gardens and of the Liffey Valley Special Amenity Area. Existing entrance serves three dwellings

and provides maintenance access to Pump House at the lower lands. Access to the higher lands is more challenging. Existing access joins Knockmaroon Hill acutely at 20° and has a severely limited sightline in the direction of the Hill.

- The Inspector was satisfied that the proposed development was acceptable from a design and conservation point of view, that there was no ambiguity regarding the location of the site and that the proposed development would not significantly affect any European site.

6.2.2. Issues Raised in Third Party Appeal

- Road safety, health and quality of life – There is no contradiction between the findings and recommendations of the ROD Report of 2005 and the details of the current proposals. The proposed development will reduce and manage traffic speed at Knockmaroon Hill. The development is designed in accordance with DMURS which considers the requirements of pedestrians first, then cyclists and then vehicular traffic. The proposed entrance will passively or actively reduce traffic speeds, assist in highlighting the presence of pedestrians and provide a refuge for vehicles if swerving to avoid traffic/pedestrian.
- Safety of School Going Children – The existing and historic road safety regime at Knockmaroon Hill is acknowledged. The proposed development will reduce vehicle speeds and improve pedestrian and road safety.
- Proposed Gateway – The dimensions of the proposed gateway are sufficient to cater for occasional medium sized vehicles. In the event of Fire Brigade access, the Emergency Services would control traffic movements. Cars exiting the proposed entrance would not have their vision blocked by the railings and wall of the entrance. Sightlines are shown clearly in Drawing PL-001. The pavement detail at the frontage of the entrance cross over is a bevelled kerb, not dished. This maintains the effective height of the pavement of 150mm above road surface and only the outer 300mm to 45mm above tarmac. Bevelled kerbs deter traffic from mounting the pavement. The appellant's comments in respect of the pedestrian crossing is counter intuitive to seeking to ensure pedestrian safety.

- Speed of permission – The 5-week submission period was sufficient to allow people to make submissions on the proposed development (even with 2-week holiday).
- Previous Refusal to Grant Permission – The reasons for the previous refusal have been addressed in the application.
- Alternative Access Options – The northern gates to the Knockmaroon Lodge are not within the ownership or control of the applicant. A separate access route within the applicant’s landholding was considered but was discounted on the grounds of the substantial intervention and civil engineering works required and visual intrusion within the landscape and woodlands (which may be wasteful use of the woodlands at the expense of possible future public use). The applicant’s Traffic Access Report recommends no intensification of the use of the southern entrance by virtue of its severely limited sightlines and constrained geometry. Any future access to the wider Knockmaroon lands as a public amenity does not assume use of this access.
- Conservation/Heritage Special Area Amenity Order – The applicant is seeking to establish independent pedestrian and vehicular access to the Lodge so that the property may be placed on the market to attract a new owner. This is critical to ensuring the integrity of the Knockmaroon Lodge as the current owner cannot afford the level of investment required to repair, preserve and maintain it. The proposed development would allow the Lodge to serve residential use. The applicant has sought a condition that the parking facility be used solely in relation to occupancy of Knockmaroon Lodge. The planning authority has concurred with this approach in conditions of the permission.
- In their previous decision under PL06F243784, the Board approved the development and noted that with regard to Glenmaroon House and Knockmaroon Lodge, it ‘is imperative that new uses be found for them to ensure their long term upkeep’. The new entrance to Knockmaroon Lodge is essential to achieving this.

6.3. Planning Authority Response

In their response to the appeal (13th October 2016), the planning authority reiterates their comments in respect of the importance of the preservation of the building, the merits of the proposed development and issues with alternative accesses to the site. It states:

- Whilst the Transportation Section had concerns with regard to safe access, the applicant's engineer has shown that it is possible to achieve a safe access and the proposed development meets all requirements under the Design Manual for Urban Roads and Streets (sightline visibility and forward visibility). The minor changes that are shown to the proposed entrance would have a significant effect on visibility. The applicant has been conditioned that the construction of the proposed development shall not commence prior to the removal of the bridge and abutment, so that visibility would not be impaired.
- Many of the points made by the appellant, in relation to safety and adequacy of the footpath in the general area, are valid. However, the current application will not worsen the situation and will provide some improvement to pedestrian facilities.
- The proposed alternative access at the bottom of the hill would be at a very large acute angle and would be difficult or impossible to access from the west.

7.0 Assessment

Having regard to my inspection of the appeal site, the appeal file and the attached history files, I consider that the key issues to be addressed comprise:

- Principle of the development.
- Alternative means to access the site.
- Traffic and pedestrian safety.
- Impact on the Glenmaroon Complex Protected Structure.
- Precedent set by the Board's previous decision.
- Appropriate assessment.

- Other matters.

7.1. Principal of Development

Knockmaroon Lodge is a Protected Structure situated alongside the public road at Knockmaroon Hill, overlooking the Liffey Valley. It has significant historical and cultural interest as well as its architectural value. The property is currently not in use and is falling into disrepair.

Policies of the Fingal County Development Plan seek to encourage the sympathetic and appropriate re-use, rehabilitation and retention of Protected Structures. The proposed development, provides a new vehicular entrance to the Lodge and parking area, with a view to facilitating the sale and re-use of the property. No details have been provided on the proposed use of the property but, based on its past use, I would anticipate that the established use of the property is institutional/residential. Within this context, I consider that the proposed development is acceptable in principle.

7.2. Alternative Means to Access the Site

Policies of the County Development Plan seek restrict unnecessary new accesses directly off Regional Roads and the appellant argues that access to Knockmaroon Lodge should be provided from one of two existing entrances to the lands at Knockmaroon, one to the north of the site at the cross roads junction with Mount Sackville Secondary School and one to the south at the bottom of Knockmaroon Hill.

To the north of the appeal site lies St. Michael's school and to the north of this St. Louise's Centre. Access to this complex is directly from the R109 at the entrance to St. Michael's school (photographs 6 and 7) and to the north of the complex at the crossroads junction (photograph 8). An internal access road from this crossroads junction provides gated access to land to the north west of the appeal site, and from this, via internal paths/tracks, to the north west of Knockmaroon Lodge (photographs 9 to 13).

I note, from the information on file, that the St. Michael's school/St. Louise's Centre are no longer in the ownership or control of the applicant. Further, in the interest of the security of the St. Louise's Centre and St. Michael's school, I consider that it would be inappropriate to route access to Knockmaroon Lodge through these

establishments. Whilst an alternative route may be possible through the wider lands within the ownership of the applicant (see Drawing no. 6096-355), the topography falls sharply to the north and west and this route would be substantial in length and through steep and overgrown topography and would, I accept, require substantial intervention. In addition, it would bring vehicles to the north-west, or rear, of Knockmaroon Lodge. The front entrance to the Lodge lies to the south of the property (photograph 14) and any vehicular access to this front entrance is likely to require traversing of the formal terrace to the rear of the property (photograph 18 and 19). The impact of such an entrance on the special interest, character and setting of the Protected Structure is not explored in any detail in the application documentation, but I do accept that it may detract from its setting.

The southern gates to Knockmaroon lands, at the bottom of Knockmaroon Hill, are stated to provide access to the lower lands in the overall holding, in particular, the lands that were worked as part of Glen College horticultural college, with a combination of woodland tracks and steps providing maintenance access between lower and upper grounds at various locations (again the topography falls sharply to the south west and south of Knockmaroon Lodge). It is evident from the information on file and inspection of the site that re-establishment of the access to the lower lands from the southern entrance may be quite feasible (photograph 19 and 2). However, again I would accept that substantial intervention may be required to gain access to the upper lands to the rear of the property, where again impacts on the formal lawn and setting of the Protected Structure may arise. Further, the existing junction with Knockmaroon Hill, which joins the Regional road via an acute angle, is seriously sub-standard.

The applicant refers to the potential impact of an access route through the wider lands at Knockmaroon (from the north or south) on possible future public amenity use of the area. There is no information on file regarding any future public amenity use of the wider lands at Knockmaroon, or means of access to these (vehicular or pedestrian) and this matter lies largely outside of this appeal. Notwithstanding, this I would accept that due to the terrain over which any access to Knockmaroon Lodge would have to be routed, it is likely that the physical works required may detract from the amenity of the area.

In summary, I consider that the applicant has demonstrated that the alternative routes to the appeal site, to the north and the south, are not viable, would require substantial intervention in topography and vegetation and create an unprecedented access at the entrance terrace, with possible consequences for the amenity of the Protected Structure.

Having regard to these constraints, I consider that it is appropriate that the applicant bring forward alternative proposals for access to the Lodge directly from the public road.

I do accept that at this interface pedestrian access to the Lodge property would be via a series of steps. Whilst this is not ideal for those whose mobility is impaired, again given the constraints present on site, I consider that the proposed arrangements are acceptable, subject to my comments below. If the Board wished a ramped pedestrian access to be provided, this could be addressed by condition. However, I would consider that this is likely to adversely impact on the scale of the proposed works and the traditional simple form of the terraces.

7.3. Traffic and Pedestrian Safety

The proposed development is located on a narrow, steep and busy regional road where the speed limit is 50kmph. The substandard nature the road is accepted by the applicant and the planning authority and I see no inconsistency in the view taken by Roughan & O'Donnell in respect of this application and that indicated in the Traffic Management Plan they prepared in respect of Chapelizod and environs for Dublin City Council in 2005, referred to by the appellant.

When travelling downhill forward visibility is currently restricted by the bend in the road at Knockmaroon Lodge and the stone pier beneath the bridge linking Knockmaroon Lodge to Glenmaroon House. The narrow pavements, which run to the west and east (in part) of Knockmaroon Hill are used by school going children and other pedestrians. This current arrangement also requires pedestrians to cross the busy Regional road.

The applicant's *Traffic Access Report* observed driver behaviour in the vicinity of the development. It identified higher speeds on descent and measured traffic speeds outside the entrance to St. Michael's School (after which traffic tends to break as it descends Knockmaroon Hill). It concluded that for this location, under free flow

conditions, most drivers drive within the speed limit (68.9%), with a smaller number travelling at 50-55kmph (20.65%), 55-60kmph (8.5%) and 60-65kmph (1.95%). The proposed upper ramped pedestrian crossing (to 75mm) is located north of the entrance to St. Michael's School. It would therefore have the effect of slowing traffic down before the steeper section of the Hill and the location of the proposed new entrance. The second pedestrian crossing is proposed just north of Knockmaroon Lodge. This raised crossing (25mm) will further reduce traffic speeds and as stated by the applicant, discourage acceleration downhill towards the development. With the removal of the existing bridge pier forward visibility will improve and the DMURS stopping sight distance of 45m can also be achieved (and exceeded) from just south of the proposed lower pedestrian crossing.

At the proposed new entrance, 45m sightlines can be achieved in both directions, to DMURS standard for the speed limit on the Regional road. (I would not accept the appellant's argument that sightlines will be restricted by the proposed railings/wall). With the proposed traffic calming measures, traffic speeds observed by the applicant in excess of the speed limit are likely to reduce and the proposed sightlines will be sufficient having regard to likely traffic speeds.

The proposed development will introduce vehicle turning movements to an already busy and substandard road. However, taking together the applicant's proposed traffic calming measures, removal of bridge pier and demonstrated sightlines at the proposed new entrance, I am satisfied that the proposed development will reduce vehicle speeds on Knockmaroon Hill for the benefit of all road users (and in all weather conditions). Further, the proposed new entrance provides effective visibility for both for users of the entrance and users of the public road. I consider, therefore, that a modest number of vehicles trips could be accommodated within the public road network without giving rise to traffic hazard.

In this regard I note that the applicant has invited a condition which restricts the use of the parking facility solely to the occupancy of the property. The accommodation provided within Knockmaroon Lodge is quite substantial and it is possible that even with such a condition the future use of the property may generate a demand for more substantial parking/vehicle trips. However, I am also mindful that the property is important locally and that its future use, upkeep and maintenance will be best achieved if the use and occupancy of the building is secured. On balance I consider

that the development, with the proposed pattern of use and vehicle trips, is acceptable and that any intensification of use should be dealt with on its merits at the time (or by appropriate enforcement if necessary).

With regard to pedestrians, as stated the application comes forward with proposals for two pedestrian crossings. Further, the existing pavement south of the lower pedestrian crossing will be closed and pedestrians will be directed to cross the Regional road at this point. Having regard to the likely reduced traffic speeds on Knockmaroon Hill with the proposed traffic calming measures and the improved facilities for pedestrian crossing of the Regional road, I do not consider that the proposed development will give rise to additional safety issues for pedestrians. With regard to the pavement detail along the frontage of the site, I note that a bevelled kerb is proposed which will maintain a pavement height of 150mm above road surface, with the outer 300mm to 45mm above road surface. This retained height will continue to deter motorists from mounting the pavement. Further, the presence of the new entrance, the reinstated footpath across the site frontage and the proposed traffic calming measures will collectively influence driver behaviour, reducing speeds and improve overall pedestrian safety on Knockmaroon Hill.

The current application provides a greater recess for the proposed gate than the previous application. At the centre of the driveway the recess is 7m and greater to the south allowing cars to pull fully into the entrance, off the public road. The applicant's autotrack (Drawing no. PL-002) demonstrates that a Fire appliance, and therefore medium size vehicles, could access the site. However, I note that in order to turn, these vehicles would have to utilise the car parking area. My understanding from the applicant is that such vehicles would only access the site on rare, or emergency, occasions and could phone ahead to ensure that the entrance gates were open to prevent obstructing the public road. I consider therefore that the site is capable of safely accommodating larger vehicles, on occasion when required.

7.4. Impact on the Glenmaroon Complex Protected Structure/SAAO)

Policies of the Fingal County Development Plan seek to ensure that any intervention affecting a protected structure and/or its setting is sensitively sited and designed to be compatible with the special character of the structure and appropriate in terms of its scale, massing and materials.

The proposed entrance to Knockmaroon Lodge is formed to the east of the house on land which currently comprises the first lower terrace. This terrace forms part of the overall designed landscape of the Lodge which contributes significantly to the character and setting of the structure. Notwithstanding this, the physical intervention into the Complex is relatively modest in size, comprising a site area of 0.5376ha and the proposed details are consistent with the architectural style of the property and are subservient to it. Further, the applicant proposes retention of the existing Cedar tree, replacement Yew trees and the repair and restoration of the lower terrace and recessed arch chambers on the second terrace.

Having regard to these details, I consider that the proposed development is sensitively sited and designed, is compatible with the character of the structure and its setting and is acceptable.

Similarly, I do not consider that the development would detract from the character, heritage or amenity value of the Liffey Valley SAAO, and would indeed open up views of the valley from the public road.

7.5. Precedent set by the Board's previous decision

The Board previously refused permission for the development on the grounds of traffic safety, by virtue of the narrow road alignment, steep incline, restricted sightlines, in particular to the south east, and the absence of information on the use of Knockmaroon Lodge. Having regard to the matters discussed above, I consider that the applicant has brought forward substantial alterations to the proposed development, to address these matters and that the proposed development, for the reasons stated above, will not give rise to traffic safety issues and is acceptable.

7.6. Appropriate Assessment

The proposed development lies c.170m from the River Liffey and at least 9.7km from any downstream Natura 2000 site (see Screening Report for Appropriate Assessment). Further, there are no pathways which connect the site to the River Liffey (minor watercourses or surface drains) and the applicant proposes standard construction practices to minimise the risk of pollutants arising. Having regard to these factors, it is unlikely that any impact on a Natura 2000 site would arise.

It is reasonable to conclude, therefore, that on the basis of the information on the file, including the applicant's Stage 1 Screening for Appropriate Assessment Report,

which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

7.7. Other Matters

The appellant refers to the timing of the application for permission (summer holidays) and to the quick period in which a decision on the proposed development was made. I note that the applicant complied with all of the statutory requirements for public notice and that the application was determined within statutory time lines.

With regard to road closures, I accept that this may arise as a consequence of the development but impacts are likely to be short term and can be controlled by condition.

8.0 **Reasons and Considerations**

Having regard to the scale, form and detailed design of the proposed development, which includes provision of substantial traffic calming measures on Knockmaroon Hill and a modest number of car parking spaces, it is considered that, subject to compliance with the following conditions, the proposed development would not detract from the amenity of the Protected Structure or the SAAO in which it is located or give rise to traffic hazard. The proposed development is, therefore, in accordance with the planning and sustainable development of the area and I recommend that planning permission be granted.

9.0 **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior

to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (i) The proposed entrance and parking area for 4 to 5 cars shall be used solely in conjunction with Knockmaroon Lodge and shall not be used for any other purpose.

(ii) The extent of the driveway and parking area shall not exceed the area indicated on drawing no. 352 received on the 13th July 2016.

Reason: In the interest of traffic safety and to protect the extent and nature of the terraces of the Protected Structure.

3. Prior to the commencement of development, the applicant shall submit to the planning authority, for written agreement details of:
 - i. External finishes to include brick finish to retaining wall, details of the colour palette of the plaster piers and of all external features including signage, intercoms and post boxes for entrance gates, finish of the walls to the new steps and greened surface of parking area.
 - ii. The methodology for the design and specification of the temporary stabilisation works and for the permanent measures to conserve and repair the brick wall and garden rooms.
 - iii. The methodology and specification for works to make good the boundary wall to Glenmaroon House.

No works for the construction of the proposed gates, driveway and parking area shall be carried out until the permanent stabilisation of the arches of the garden rooms and retaining wall has been completed to the satisfaction of the planning authority.

Reason: In the interest of clarity and to protect the nature of the terraces of the Protected Structure.

4. All works to the protected structure, shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

Reason: To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

5. Prior to the commencement of development, the applicant shall submit to the planning authority, for written agreement:
 - i. A tree bond of €10,000.
 - ii. Details of the measures to protect trees on site, including the Deodar Cedar (*Cedrus deodora*), Tag no. 2848, tree works and replacement planting. All works on trees shall conform to BS3998: 2010 Tree Works – Recommendations.

A suitably qualified arborist/landscape professional shall be engaged for the duration of construction to monitor site development works.

Reason: To protect trees during the course of the development and the character of the terraces of the Protected Structure.

6. Prior to the commencement of development, the applicant shall submit to the planning authority for written agreement, details of:
 - i. The proposed traffic calming measures and crossing points.
 - ii. The reinstated area between the public road and Glenmaroon House.
 - iii. The relocation of all underground and overhead services and poles.

The construction of the proposed entrance shall not commence prior to the removal of the bridge and abutment.

Reason: In the interest of traffic safety.

7. Prior the commencement of development, the applicant shall submit to the planning authority, for written agreement, a detailed construction methodology which shall include the following:
 - a. Means to manage surface water run-off from the site and the risk of water pollution, and
 - b. Means to manage traffic on the regional road during the period of construction works.

Reason: In the interest of nature conservation.

8. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of environmental protection and public health.

Deirdre MacGabhann
Planning Inspector

20th December 2016