

Response to An Bord Pleanála Pre-application Consultation Opinion Ref. ABP-308497-20

Proposed Strategic Housing Development, 'Kenelm' Deer Park, Howth, Co. Dublin



Prepared on behalf of
GLL PRS Holdco Ltd.

Document Control Sheet

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Table of Contents

1.	Introduction.....	4
2	Statement of Response to Specific Matters.....	4
2.1	Report addressing and providing a clear design rationale.....	4
2.2	Red Line Boundary	4
2.3	Design Heritage Assessment.....	5
2.4	Archaeological Impact Assessment	6
2.5	Landscaping proposals.....	7
2.6	Additional Cross-sections.....	12
2.7	Site-Specific Flood Risk Assessment Report.....	12
2.8	Traffic and Transport Assessment.....	13
2.9	Stage Road Safety Audit.....	13
2.10	Statement of Compliance with the applicable DMURS standards, and a mobility management plan	14
2.11	Housing Quality Assessment	14
2.12	Building Life Cycle Report	14
2.13	Compliance with Part V of the Planning Act.....	14
2.14	Childcare Demand Analysis	15
2.15	Social and Community Audit of Schools.....	17
2.16	Draft Construction Management Plan.....	17
2.17	Draft Waste Management Plan.....	17
2.18	Material Contravention Statement	18
3	Notification of Statutory Bodies	20
	Appendix 1 – Slattery Conservation Report.....	21

1. Introduction

This report addresses the 16 no. specific information requirements requested by An Bord Pleanála (ABP) in their Notice of Pre-Application Consultation Opinion (case ref. ABP-308497-20) issued on the 15 January 2021.

2 Statement of Response to Specific Matters

2.1 Report addressing and providing a clear design rationale.

A report that addresses and provides a clear design rationale for the proposed design, scale and character of the buildings, materials and finishes of the proposed development in the context of the site and the transition in building height. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinctive character for the development. Additional CGIs and visual assessment, having regard to the local objectives pertaining this site, the cumulative impact of the Techrete site located opposite the site, and recognising the visual sensitivity of this area/site with photomontages and 3D modelling, to include consideration of impacts on the protected structures identified below.

The application is accompanied by the following supporting reports that address all the detail highlighted above;

- Architectural Design Statement
- Urban Design Statement
- Architectural Heritage Impact Assessment
- Landscape & Visual Impact Assessment (Chapter 5 of EIAR, Volume II)
- Cultural Heritage: Built Heritage (Chapter 15 of EIAR, Volume II)
- Photomontages to accompany Landscape & Visual Impact Assessment
- Photomontages to accompany Cultural Heritage: Built Heritage

2.2 Red Line Boundary

The inclusion of all works to be carried out within the red line boundary.

The proposed site layout is illustrated in the architectural suite of drawings included with this application. The extent of works within the red line boundary is illustrated on Drawing No. HOW-MCA-00-00-DR-A-1101.

For clarity, all 'development' associated with the delivery of a strategic housing development within the application site is wholly confined to the area zoned 'Residential Area' i.e., the proposed 3 no. buildings together with ancillary works including roads, access, drainage, communal and public amenity areas etc.

2.3 Design Heritage Assessment

Design Heritage Assessment to consider impacts on RPS No. 556- Howth Castle (incl. wings, towers, stables, and 19th Century entrance gates), RPS No. 557 Church (in ruins), Grounds of Howth Castle, RPS No. 695- St. Mary's Church of Ireland Church, Howth Road. The report shall include a statement response to the specific concerns raised by the Conservation Officer Section of Fingal County Council report dated 23rd October 2020.

The **Urban Design Statement** included with this application establishes the conservation approach to development of the site. The following key heritage objectives were developed at the early stage of the scheme's development and applied during the design development.

- ❖ Appraise and evaluate the elements of heritage significance.
- ❖ Ascertain and communicate the architectural, urban, and social values of the site and ensure appropriate integration within the proposed development to enable a distinctiveness of place and identity.
- ❖ Protect special interest of protected structures.
- ❖ Identify immediate conservation priorities and develop a coherent conservation strategy.
- ❖ Provide specific strategies for repair, intervention, adaption, and extension to the demesne wall.
- ❖ Ensure architectural design approach to integrate historic, contemporary architecture and landscaping with an overall coherence and integrity.
- ❖ Respect existing context and scale.
- ❖ Record all surviving features of architectural, historical interest.
- ❖ Provide a salvage strategy for historic building materials.
- ❖ Have due regard to architectural policies, standards, and objectives of Universal Access.

The impact of the proposed development on the Protected Structures is assessed and evaluated in the **Architectural Heritage Assessment Report**, Chapter 15 of the EIAR, **Cultural Heritage: Built Heritage** and the visual assessment is supported by verified **Photomontages** with selected 'heritage views'.

Photomontages to accompany Built Heritage - Chapter 15 EIAR (Vol II) The locations of the heritage viewpoints were selected so as to illustrate the impact on the Protected Structures and the ACA in the wider context of the subject site and were selected based on

- Views identified within the Fingal Development Plan 2017-2023 and the Howth Castle Architectural Conservation Area
- Views requested by the Architectural Conservation Officer of Fingal County Council
- Views and vistas observable from wider context

11 no. views were selected, the locations are described in the Table below and illustrated on the viewpoint plan in the photomontage booklet.

The Conservation Officer's report states that the impact on views from inside the Castle is required. Accordingly, View 15 is included, a view from the 'Turret Room' in Howth castle (upper floor of the Castle).

View Ref	Location
View 14	View of Howth Castle front
View 13	View of Howth Castle front from parkland
View 12	View along avenue towards main entrance gates Howth Castle
View 7	View along Howth Road showing historic demesne wall
View 11	View towards subject site from front setting of St. Mary's
View 16	View from courtyard Howth castle
View 15	View from turret room Howth castle (upper floor of the Castle)
View 6	View towards main entrance gates Howth Castle from Howth Road
View 17	View from woodland area to the west of Howth Castle
View 18	View from golf course
View 19	View from Muck Rocks

VIEWPOINT – DESCRIPTION OF LOCATIONS

A statement of response to the specific concerns raised by the Conservation Officer Section of Fingal County Council report dated 23rd October 2020 has been prepared by Slattery Conservation and is appended to this report.

2.4 Archaeological Impact Assessment

Archaeological Impact Assessment.

Chapter 14 of the EIAR, Cultural Heritage: Archaeology assesses the impact of the proposed development on the archaeological resource of the site and its environs. The chapter is informed by a desktop study and a site inspection including a geophysical survey.

The geophysical survey data is dominated by modern magnetic disturbance, largely the result of the landscaping and design of the golf course and the presence of multiple modern services. Some possible isolated pit-type responses have been identified; however, an archaeological interpretation is highly tentative. Possible former agricultural activity is suggested by multiple linear trends. The results of the geophysical survey negated the need for archaeological testing.

The chapter identifies that the proposed development will have no direct or indirect impact on recorded archaeological features. The proposed development is at a remove from the recorded archaeological monuments and construction will have no negative impact on them. Construction access to the site will be at the northwest, at the furthest distance from the recorded archaeological monuments in the area. No subsurface remains were identified during a geophysical survey of the site. This survey showed modern disturbance across the study area. The effect on the archaeological landscape during the construction phase is determined to be unlikely and imperceptible.

With respect to the operational phase of the proposed development, the chapter concludes that having regard to the information gathered to determine the baseline archaeological environment, there are no potential impacts on archaeological cultural heritage expected because of the

operational phase of the proposed development. Therefore, the effect is determined to be unlikely and neutral.

Mitigation is proposed for the construction stage as follows;

- A suitably qualified archaeological consultant shall be appointed to undertake monitoring of works during the construction phase.
- Licenced archaeological monitoring of the excavation of topsoil during the construction phase of the development. This will be under license from the National Monuments Service of the Department of Culture, Heritage, and the Gaeltacht.
- Should archaeological or architectural heritage features, deposits or structures be uncovered these will be cleaned by hand, investigated, and recorded. The DCHG and the NMI should be contacted and a strategy to resolve these finds should be formulated. This could include preservation in situ or preservation by record.

The predicted residual impact during the construction phase is stated as follows;

“Subject to the implementation of appropriate archaeological mitigation measures, no residual impacts on archaeology or cultural heritage are predicted as should any archaeological remains be identified, they will be subject to full resolution (i.e., archaeological excavation), thereby being preserved by record.”

There is no predicted residual impact on the archaeological landscape during the operational phase of the development or when considered cumulatively with other projects locally.

2.5 Landscaping proposals

Landscaping proposals to include (i) Arboricultural Impact Assessment and details of measures to protect trees and hedgerows to be retained at the site;

During the design development, the project arborist, John Morris Arboricultural Consultancy has worked in close collaboration with the project landscape architect, Bernard Seymour Landscape Architecture and the project ecologist, Scott Cawley Ltd. This approach ensures an integrated, holistic landscape design that;

- enhances biodiversity;
- is consistent with the All Ireland Pollinator Plan 2021-2025;
- supplements the existing woodland within the adjoining demesne lands;
- contributes to green infrastructure; and,
- links existing habitats thereby enhancing existing and creating new wildlife corridors.

The **Landscape Design Statement** and associated drawings submitted in support of this application should be read in conjunction with this response. Also of relevance is **Chapter 11, Biodiversity** contained within Volume II of the EIAR.

An **Arboricultural Impact Assessment & Method Statement** together with drawings is submitted in support of this application.

A tree survey which was undertaken in accordance with BS5837:2012 *Trees in relation to design, demolition, and construction – Recommendations* and identified 108 individual trees, 10 group of trees and three hedgerows, which have been categorised as follows:

- 0 of high arboricultural quality (Category A)
- 42 of moderate arboricultural quality (Category B)
- 70 of low arboricultural quality (Category C)
- 9 of poor arboricultural quality (Category U)

The layout of the proposed development has been designed to ensure the protection and incorporation of trees located along the eastern boundary, which have been collectively identified as an important arboricultural feature that contributes to the landscape character of the local area. The aim has been to utilise these boundary trees as key features, to create a harmonious relationship between the existing natural infrastructure and the new built environment.

The development proposal will require the removal of 9 individual category B trees and part removal of two category B groups, 11 individual category C trees, one individual category U tree and part removal of one category U hedge/area of vegetation.

Four trees are recommended for removal irrespective of the proposed development, due to structural defects or irreversible decline that warrants them in such a condition that they cannot be realistically retained as living trees in the context of current land use for longer than 10 years, or due to high likelihood of failure that poses an unacceptable risk to persons or property.

The aim has been to avoid development that will result in the loss of trees, however, where this has not been possible, a compensatory approach has been adopted that will see a diverse mix of new tree species planted across these lands.

A native woodland belt is proposed to the south of the application area which will connect existing mature tree belts to the east and west of the application area. This will result in a future increase in canopy cover within the local landscape and create a post-development situation that improves the long-term arboricultural quality of the lands.

The following measures are required to ensure the protection of retained trees during construction:

- Tree Protective Fencing & Barriers
- Construction Exclusion Zones
- Temporary Ground Protection
- Pollution Control
- Specialist Working Methods
- Arboricultural Monitoring & Supervision

(ii) rationale for proposed public open space provision, to include an open space hierarchy and detailed layouts for the public open spaces;

This section should be read in conjunction with the **Landscape Design Statement** and drawings submitted in support of this application.

The Fingal Development Plan 2017-2023 establishes quantitative and qualitative criteria for public open space. In accordance with Objective DMS57 a minimum of 10% should be designated as a public open space.

The proposed development site is 1.74 hectares. Of this, 1.16 hectares is zoned Residential Area and the balance 0.58 hectares is zoned High Amenity that according to the Development Plan cannot be included as public open space.

Thus, applying the 10% requirement to the residential zoned lands, there is a requirement for 1160 sq.m of public open space. The proposed development includes 1161 sq.m of public open space. It is thus consistent with the quantitative requirements of the Development Plan.

The content of Objective DMS57 is noted. It requires a minimum public open space provision of 2.5 hectares per 1000 population. For the purposes of this calculation, public open space requirements are to be based on residential units with an agreed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.

Based on the proposed mix and applying the occupancy levels stated above, the scheme would generate a population of 301. This would mean a requirement of 0.825 hectares. This would represent over 70% of the land zoned for development and would be an inefficient use of scarce urban land and inappropriate given the site's location proximate to a wealth of public open space with a variety of functions including Baltray Park, the permitted public plaza and park in the Claremont Scheme, Howth Hill, and the promenade area. Accordingly, the proposed development includes 10% public open space.

Table 12.5 establishes the County's Open Space hierarchy categorised as follows;

- 'Class 1' pocket parks, small parks, local parks and
- 'Class 2' urban neighbourhood parks, regional parks.

For all developments with a residential component a mix of public open space types should be provided **where achievable**. (emp added). Pocket parks are required in all instances and there is no provision for a contribution in lieu.

Having regard to the quantity of public open space and its geographical location proximate to a range of parks (as listed above) locally that would satisfy the definitions of Class 1 and Class 2 open space, the proposed development incorporates the following hierarchy of public open space;

- a pocket park to the northwest of the proposed development that encompasses opportunities for active play and passive recreation. The play space includes a grass area for informal ball play. The area also includes formal play equipment that will be aimed at the 3-10 years age group and composed of timber to further assimilate the area into the surrounding garden landscape. Sheltered seating benches are dotted around the play area for those supervising children at play. Circulation through the space connects east to west bringing the user through the wider public garden for a variety of experiences. Consistent with the requirements of the Development Plan, the pocket park is not located to the side or back of the proposed dwellings. It benefits from excellent passive surveillance, being overlooked by units proposed in Blocks B and C. Cognisant of the need to protect the amenities and privacy of future occupants, the play area is screened to the south by shrubs and ground-cover which provide an additional layer of screening to the residential areas (which themselves have extensive privacy buffers of planting to ground floor level.
- Botanic Garden – stretching west from the pocket park and taking advantage of the favourable micro-climate that exists across the Howth peninsula and the shelter provided by

the demesne wall that encloses the proposed development site to the north, a botanic public garden is proposed. The concept was inspired by the project's conservation architect who identified that Howth Castle was famed for its rhododendron walks introduced in 1790 and encompassing more than 2,000 species of the plant. The wall presents an immediate canvas to display unusual climbing species fronted by larger shrub species which will thrive in the south facing aspect. The verdant atmosphere will provide a welcome refuge from the busier environment of the Howth Road or a stopping point on a walk or cycle along the coast. The garden is fitted with seating areas and complemented by lawns to the east of Block A and south of Block B.

The proposed public open space responds to the baseline environment in that it complements other parks in the local area, most notably those proposed in the Claremont scheme, it addresses the deficit in formal play areas identified in the **Social Infrastructure Audit** (see separate report) and it introduces variety in the wider hierarchy of open space.

Its location to the north of the proposed development site makes it easily accessible to the public and the proposed new accesses to the development will encourage people to move through the area.

Detailed Layouts are included in the Landscape Design Statement and Landscape Drawing Package that accompanies this application.

(iii) permeability plan of the proposed open space within the site clearly delineating public, semi-private and private spaces, areas to be gated, treatment of interface areas and provision of future connections to adjoining lands.

A permeability plan is included in the **Landscape Design Statement** that accompanies this application under separate cover and is reproduced below.

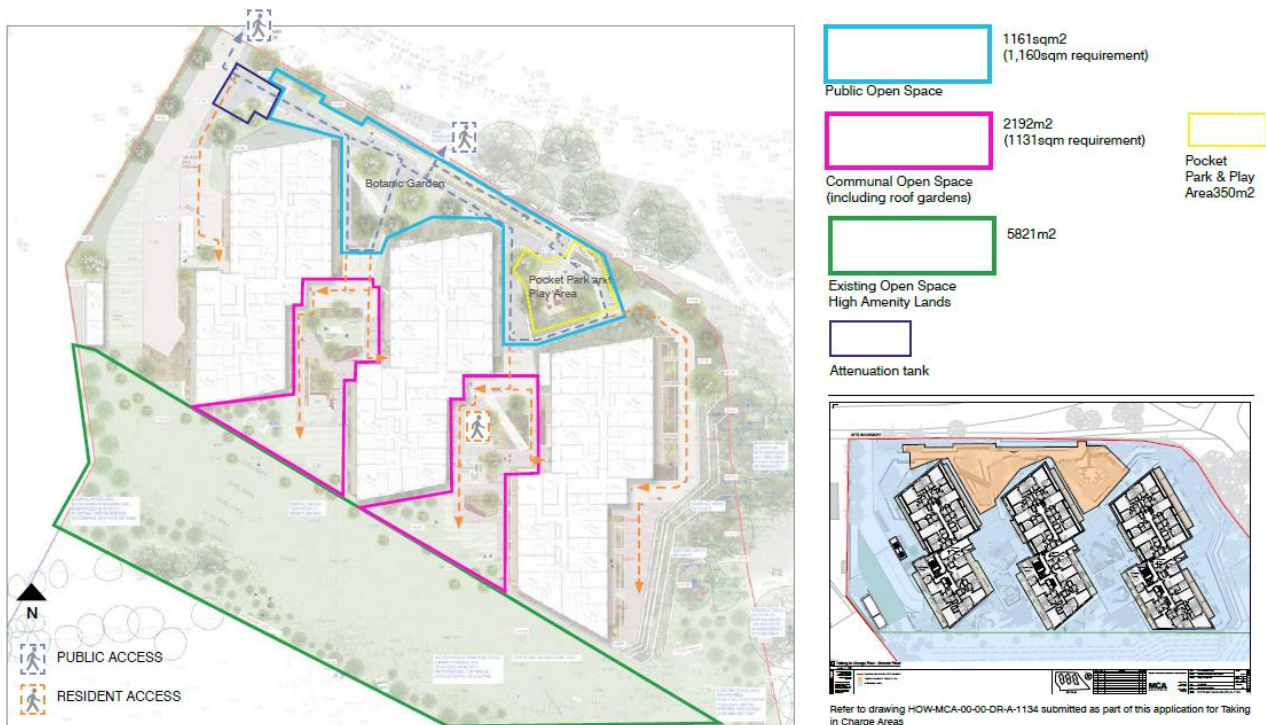


FIGURE 1 PERMEABILITY PLAN (EXTRACT FROM LANDSCAPE DESIGN STATEMENT)

The proposed layout does not include gates. The open space is designed without any hard boundaries to allow free movement throughout the space allowing the visitor to take their own journey towards a planting area of particular interest.

The site is currently enclosed, and it is proposed to facilitate permeability from the adjacent public road by providing 2 no. openings in the northern demesne wall. Both will allow pedestrian/cyclist movement.

The feasibility of providing a future connection through the demesne wall to the east of the site was considered and discounted as;

- a) It would potentially affect the setting of the protected Castle gates.
- b) This area is occupied by mature woodland and development is intentionally stepped back from this area to protect the integrity of the trees. Works to the wall to facilitate a connection at this location could conflict with root protection areas.

To the south of the application area, it is proposed to plant a woodland hedgerow to delineate the site from the golf course beyond. Rather than formalise a possible future connection, which would have a negative effect on the total habitat area and potentially give rise to obstacles to the hedgerow performing its primary function, as a corridor for wildlife. It was decided that future connections at this location could be facilitated by informal gaps in the hedgerow.

2.6 Additional Cross-sections

Additional cross-sections demonstrating the extent of cut and fill required to accommodate the development of the site.

Please see Drawings C1051 and C1052 included in the Engineering suite of drawings prepared by Barrett Mahony Consulting Engineers.

2.7 Site-Specific Flood Risk Assessment Report

A Site-Specific Flood Risk Assessment Report. The prospective applicant is advised to consult with the relevant technical section of the planning authority prior to the completion of this report.

A Flood Risk Assessment Report prepared by Barrett Mahony Consulting Engineers is included under separate cover. It concludes as follows;

“The development is to be a residential development with sleeping and living quarters starting at 8.00m OD. The living areas can safely be evacuated at podium level (8.00mOD) and have direct access to Howth Road. The proposed development is designated as a ‘highly vulnerable development’ and is located within Flood Zone C. Therefore, as per the “*The Planning System and Flood Risk Assessment Guidelines for Planning Authorities*” the proposed development would be deemed ‘Appropriate’ for its geographical location and a justification test is not required.

The site is approximately 150m away from the Irish Sea to the north but protected by the existing DART Sea defence wall and the promenade.

There is no risk of flooding affecting the site from the 1 in 1000 year fluvial flood zone mapping and coastal flood map extent.

The surface water attenuation system has been designed for a 1 in 100 year storm with an allowance of 20% for climate change.

All the above ensures the risk of flooding is reduced and measures have been incorporated to ensure excess water is handled correctly and diverted away from the development.

The likelihood of flooding on site is low from either Tidal, Fluvial, Pluvial Surface Water or Groundwater.

The proposed development is in a low risk flood zone and is acceptable for residential development.

2.8 Traffic and Transport Assessment

Submission of a Traffic and Transport Assessment.

A Traffic and Transport Report prepared by Barrett Mahony Consulting Engineers is included under separate cover. It concludes as follows;

1. The network analysis within the TTA indicates that 3 of the 4 No. existing critical junctions in the vicinity of the proposed development plus the proposed development entrance presently work well within capacity and will continue to do so in 2023 the projected year of opening and in 2038, 15 years thereafter.
2. Sutton crossroads is at present at capacity and other adjacent permitted developments will result in it being over capacity in future years. The proposed development will add relatively little to further congestion at this location. The volumes generated by the proposed development constitute a very low proportion of these committed flows from adjacent developments.
3. The subject site is highly accessible to pedestrians and cyclists in the vicinity of Howth Road and its environs, with excellent pedestrian connectivity from the proposed development eastwards towards Howth Village and access to the DART.
4. Future proposals as stated within the GDA Cycle Network Plan include a secondary cycle route is planned along Howth Road and Carrickbrack Road, which will connect the subject site to all parts of Howth, southwards towards the city centre and north-westwards towards Portmarnock, Malahide and Swords. In addition, the proposed East Coast Greenway will run on the northern edge of the site, connecting Howth to the greenway network in the Greater Dublin area.
5. The site is well served by public transport, with the bus route 31/a along Howth Road towards the city centre, and the 31b Route along Carrickbrack Road towards the city centre, and the DART within 400 metres of the proposed development.
6. The report is a robust assessment that includes the permitted Claremont development to the north of Howth Road and the formerly permitted Balscadden SHD development. The latter is included as it is reasonably anticipated having regard to the sites zoning and planning history that a similar scheme will be progressed on the site in the future.

2.9 Stage | Road Safety Audit

Submission of a Stage 1 Road Safety Audit

A Stage 1 Road Safety Audit prepared by PMCE Consulting Engineers is submitted under separate cover.

2.10 Statement of Compliance with the applicable DMURS standards, and a mobility management plan

A statement of compliance with the applicable standards set out in DMURS, and a mobility management plan which justifies the proposed provision of parking for cars and bicycles.

A DMURS Compliance Statement and Mobility Management Plan prepared by Barrett Mahony Consulting Engineers are included under separate cover. The Statement of Consistency with National, Regional and Section 28 Ministerial Guidelines also includes a section on compliance with DMURS standards.

2.11 Housing Quality Assessment

A housing quality assessment which provides specific information regarding the proposed apartments, and which demonstrates compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments, including its specific planning policy requirements.

A Housing Quality Audit is included in the Architectural Design Statement prepared by MCA Architects and included under separate cover. Please refer to section 4 and Appendix C.

2.12 Building Life Cycle Report

A building life cycle report in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2020).

A Building Lifecycle Report prepared by MCA Architects is included under separate cover.

2.13 Compliance with Part V of the Planning Act

Proposals for compliance with Part V of the planning act.

A Part V proposal together with a letter from Fingal County Council Housing and Community Department and costs is submitted under separate cover.

The proposed scheme is for 162 no. apartments, comprising 29 no. 1 bed-, 104 no. 2 bed- and 29 no. 3 bedroom units.

The Part V proposal includes 16 no. Part V units distributed across Blocks B and C. The proposed unit mix is as follows:

- 6 no. 1 bedroom units
- 7 no. 2 bedroom units
- 3 no. 3 bedroom units

2.14 Childcare Demand Analysis

Childcare demand analysis, having regard to the existing childcare facility in the vicinity of the site, the likely demand and use for childcare places and the accommodation of additional requirement resulting from the proposed development.

A Childcare Demand Report prepared by McCutcheon Halley Planning Consultants is included under separate cover.

Notwithstanding the flexibility provided in the 2018 Design Standards for New Apartments, this assessment takes a conservative approach and includes all 2-bedroom plus units to determine the future demand for childcare arising from the proposed development.

Out of a total of 162 no. units proposed, 133 no. include 2+bedrooms and are deemed capable of accommodating families. According to Census 2016, the percentage of children of preschool age (0-4) in the Howth ED is 4.8%. The proposed development would therefore generate 18 no. pre-school children.

Cognisant that the percentage of pre-school children in Howth ED is low when compared to Fingal (8.4%) and the State (7%), and, mindful of the population growth projections in the Eastern and Midlands Regional Spatial and Economic Strategy. This report is based on the State percentage of 7% and the assessment proceeds on the conservative assumption that the proposed development would generate 26 no. pre-school children.

The report assumes that the introduction of the Government's Early Childhood Care and Education (ECCE) Programme has likely increased the percentage utilising creches and accordingly assumes that all pre-school children aged 3 and 4 years generated by the proposed development will avail of a childcare facility.

7 no. childcare facilities were identified within the Howth ED area with a good geographical spread in relation to the proposed development site.

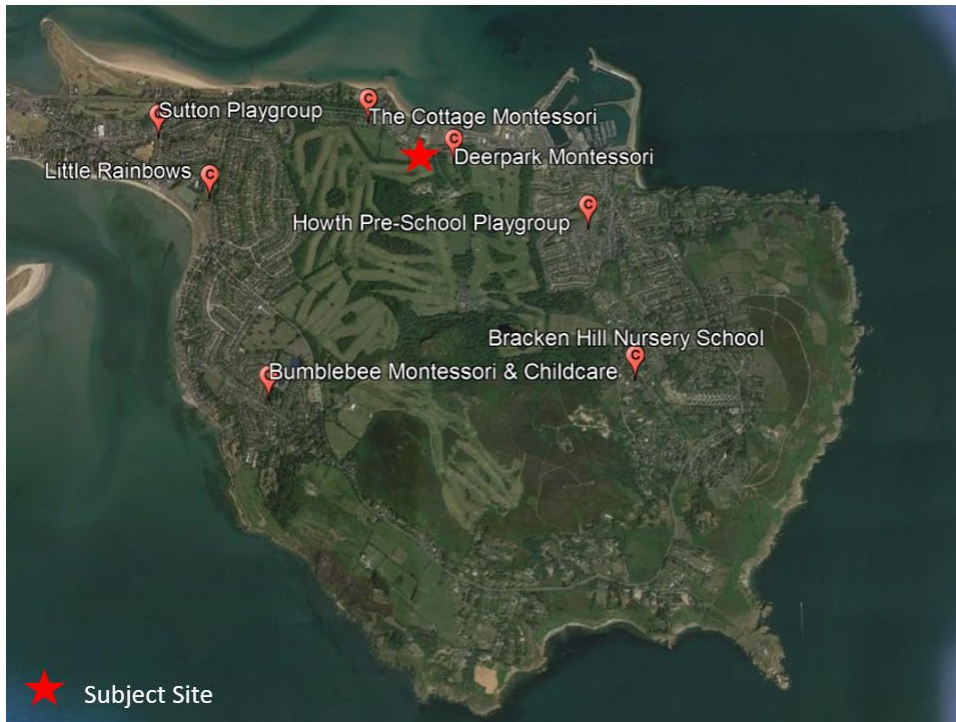


FIGURE 2 EXISTING CHILDCARE SERVICES

The capacity rates for each of the identified 7 no. childcare facilities is primarily based on data gathered from TUSLA reports, which was then confirmed via phone survey with childcare providers. It is important to note that not all childcare services engaged in the phone survey, in these cases published data is referenced. The report identifies a capacity of 243 no. childcare spaces available in the existing childcare services.

In addition, there are 2 no. permitted creches locally, at Santa Sabina and as part of the Claremont scheme. Combined, they will offer approx. 89 no. pre school care spaces.

The cumulative operational and permitted childcare provision is 332 no. spaces.

In 2016, there were 405 no. children aged between 0-4 within the study area. Children are eligible to participate in the ECCE scheme when they turn 3 years old. The 2016 Census identifies that there were 182 children aged between 3 and 4 years in Howth ED. Assuming all will avail of the scheme and 25% (in line with the QNHS, Q3, 2016 data) of those aged between 1 and 3 years old would require childcare in a creche setting, the demand in the Howth ED is 238 no. childcare spaces.

The subject site may generate 26 no. children of pre-school age. Applying the same ratio to the age groups as identified in the 2016 Census, 45% or 12 no. children would be in the 3-4 year age category, and it is assumed that they would participate in a full time service. Of the remaining 14 no. children in the scheme, 4 no. would require a childcare space. In total, the scheme would generate a demand for 18 no. spaces.

It is estimated that the permitted creches (Claremont and Santa Sabina) would generate 89 no. pre-school places, and the Claremont development would generate a demand for only 64 no. childcare spaces.

Combined there is an estimated demand for 302 no. childcare spaces in the Howth ED (existing + Claremont) and there are at least 332 no. places provided by the existing and permitted facilities within the Howth ED.

Accordingly, this report concludes there is no requirement for the provision of a childcare facility as part of this development proposal having regard to the existing geographical distribution and capacity of childcare facilities existing and permitted in the catchment. This conclusion is consistent with the 'Childcare Guidelines for Planning Authorities' (2001) which state that the threshold for childcare provision should be established having regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of areas.

2.15 Social and Community Audit of Schools

Inclusion of a Social and Community Audit of the schools in the vicinity in particular school going children and the accommodation of additional requirement resulting from the proposed development.

A School Demand Assessment Report prepared by McCutcheon Halley Planning is submitted under separate cover.

The research undertaken identifies eight primary schools and five post-primary schools located within c. 4.5km distance of the proposed development site, equivalent to 15-minute cycling time or 10-minute drive.

The proposed development is comprised of 162 no. residential units. Based on national average household size (Census 2016, CSO) and prevailing trends in the age profile of the study area, it will generate a potential requirement for 36 no. primary school places and 25 no. post-primary school places.

Having regard to the analysis of current school capacity and demographic data in the study area, together with the projected decline in student enrolments, it is concluded that there is capacity within the catchment to cater for the school aged population generated by the proposed development which will be further supplemented by delivery of the planned new primary school and post-primary school in 2021 and 2022, respectively.

2.16 Draft Construction Management Plan

A draft construction management plan.

A Construction Environmental Management Plan prepared by Barrett Mahony Consulting Engineers is submitted under separate cover.

2.17 Draft Waste Management Plan

A draft waste management plan.

A Construction Waste Management Plan prepared by Byrne Environmental Consulting is submitted under separate cover. Separately, an Operational Waste Management Plan also prepared by Byrne Environmental Consulting is included with the application.

2.18 Material Contravention Statement

A material contravention statement, in respect to any and all elements of the development that may materially contravene the Development Plan objectives or policies applicable to the site.

A Material Contravention Statement has been prepared by McCutcheon Halley Planning Consultants and addresses whether any aspect of the proposed Strategic Housing Development (SHD) may be considered to materially contravene the Fingal Development Plan 2017-2022, in accordance with Section 8 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

Where an application is deemed by An Bord Pleanála to materially contravene the relevant development plan, Section 8(1)(a)(iv)(II) requires a statement “*indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000*”.

The purpose of the Material Contravention Statement is to address the possibility that the proposed development could be deemed by An Bord Pleanála to represent a material contravention of the FDP 2017 – 2023, specifically relating to;

- i. The core settlement strategy for Howth in the Fingal Development Plan indicates a figure of 498 potential residential units. Table 2.8 of the adopted Variation No. 2 *Alignment of the Fingal Development Plan with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES)* indicates that there is 14 hectares of zoned land remaining in Howth, with a capacity to deliver 436 residential units. This represents a density of 31 units per hectare across the zoned available land. There is 1 no. permitted (ABP Ref. TA06F.306102) SHD scheme (Claremont) in Howth that alone provides for 512 no. apartments and it the 498 target is thus breached. This subject proposal includes 162 no. units and combined with Claremont this would amount to 674 no. units in Howth. Accordingly, An Bord Pleanála may consider the proposed development to be a material contravention of the core settlement strategy for Howth as established in the extant Development Plan.
- ii. Compliance with Objective DMS30 – Ensure all new residential units comply with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and B.S. 8206 Lighting for Buildings, Part 2 2008: Code of Practice for Daylighting or other updated relevant documents.
- iii. Compliance with Objective DMS23– Permits up to 8 apartments per individual stair/lift core within apartment schemes.
- iv. Compliance with quantitative requirements for children’s play, specifically Objective DMS75; and
- v. Compliance with Objectives DMS77 and NH27 that relate to protection of trees.

Section 9(6) of the Planning and Development (Housing) and Residential Tenancies Act, 2016, confers power on An Bord Pleanála to grant permission for a development which is considered to materially contravene a Development Plan or Local Area Plan, other than in relation to the zoning of land, as follows:

“(6) (a) Subject to paragraph (b), the Board may decide to grant a permission for a proposed strategic housing development in respect of an application under section 4 even where the proposed development, or a part of it, contravenes materially the development plan or local area plan relating to the area concerned.

(c) Where the proposed strategic housing development would materially contravene the development plan or local area plan, as the case may be, other than in relation to the zoning of the land, then the Board may only grant permission in accordance with paragraph (a) where it considers that, if section 37(2)(b) of the Act of 2000 were to apply, it would grant permission for the proposed development.”

The Material Contravention Report establishes that the proposed development is of national and strategic importance and thus satisfies Section 37(2) (b) (i).

The national importance of the proposed development relates to;

- i. The substantial challenges for the State in the housing sector, including insufficient housing output to address current and projected demand and high unmet need for social housing.
- ii. The proposed development’s contribution toward climate change mitigation through promoting a modal shift, reduced car parking and building energy efficiency and the State’s international binding commitments.

The strategic importance of the proposed development relates to the activation of the proposed development site through effective density and consolidation, rather than more sprawl of urban development is strategically important in the context of the scarcity of developable land available in Howth, a location that lies within Dublin City and Suburbs.

On determining that point (i) is applicable, it must be determined that one of the sub sections set out below is relevant for each of the identified potential material contraventions.

- (i) there are conflicting objectives in the development plan, or the objectives are not clearly stated, insofar as the proposed development is concerned, or*
- (ii) permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or*
- (iii) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.*

Regarding a material contravention of the core settlement strategy, the Material Contravention Statement advances justifications under the provisions of (ii), (iii) and (iv) above.

Regarding the material contravention of Objective DMS30 (BRE Guidelines), the Material Contravention Statement advances justifications under the provisions of (iii) and (iv) above.

Regarding the material contravention of Objective DMS23 (no. of apartments per core), the Material Contravention Statement advances justifications under the provisions of (iii) and (iv) above.

Regarding the material contravention of Objective DMS75 (children’s play), the Material Contravention Statement advances justifications under the provisions of (iii) and (iv) above.

Regarding the material contravention of Objective DMS75 (children’s play), the Material Contravention Statement advances a justification under the provisions of (ii) above.

Regarding the material contravention of Objective DMS77 and NH27 (trees), the Material Contravention Statement advances a justification under the provisions of (ii) above.

It is considered that there is sufficient justification presented in the Material Contravention Statement for An Bord Pleanála to grant permission for the proposed development, notwithstanding any material contravention of the Fingal Development Plan, in accordance with and Section 9(6) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) and by reference to sub-section (ii) and (iii) of Section 37(2)(b) of the 2000 Act.

3 Notification of Statutory Bodies

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. *Irish Water*
2. *Department of Culture, Heritage, and the Gaeltacht*
3. *The Heritage Council*
4. *An Taisce*
5. *An Chomhairle Ealaíon*
6. *Fáilte Ireland*

We can confirm that the 6 no. bodies listed above have been notified of the making of this application.

It is noted that section 8(1)(b) requires the sending of a copy of the application in both printed form and electronic form. In this regard, we wish to highlight that The Heritage Council advised that their offices are closed due to public health guidelines and as a result they are unable to accept printed copies. It was advised that any attempt to deliver a hard copy would be returned as undeliverable to the sender. In this context, The Heritage Council advised that only an electronic copy can be received. Accordingly, an electronic copy has been sent to aharvey@heritagecouncil.ie.

Appendix 1 – Slattery Conservation Report



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Re: **Response to Commentary by Planning Authority (Fingal County Council) on Architectural Heritage Impacts of the Proposals for Lands to the West of Entrance to Howth Castle Demesne, Howth, Co. Dublin**

1.0 **Introduction**

This response addresses Item No. 3 of the Opinion received from An Bord Pleanála following the pre-application consultation phase (Ref. ABP-308497-20).

The following specific information was requested to accompany the application;

Heritage Assessment to consider impacts on RPS No. 556- Howth Castle (incl. wings, towers, stables and 19th Century entrance gates), RPS No. 557 Church (in ruins) , Grounds of Howth Castle, RPS No. 695- St. Mary's Church of Ireland Church, Howth Road. The report shall include a statement response to the specific concerns raised by the Conservation Officer Section of Fingal County Council report dated 23rd October 2020.

The assessment and evaluation of the impacts of the proposed development on RPS No. 556- Howth Castle (incl. wings, towers, stables and 19th Century entrance gates), RPS No. 557 Church (in ruins) , Grounds of Howth Castle, RPS No. 695- St. Mary's Church of Ireland Church, is presented in the **Cultural Heritage: Built Heritage Chapter** contained in the EIAR (Volume II) that is submitted with this application and in the **Architectural Heritage Assessment Report** included under separate cover.

Set out below is a response to the report prepared by Fingal County Council's Conservation Officer submitted to An Bord Pleanála.

The response is made in accordance with the DoCHG Guidance on Architectural Heritage and should be read in conjunction with the Built Heritage Chapter included in the EIAR (Vol II) and Appendices (EIAR, Vol III) and the Architectural Heritage Assessment Report.

A number of issues have been raised in the Report of the Conservation Officer Section in relation to the impact of proposals and these impacts have been made with reference to terms including 'historic setting', 'historic demesne', 'parkland setting', 'attendant

grounds’ and *curtilage*’. It is important that the terminology and extent of the status being referred to in all assessments are made clear.

2.0 Location and Status of the Subject Site

2.1 Howth Castle Demesne

The subject site encompasses 2 no. zoning designations, Residential Area (1.16 HA) and High Amenity (0.58 HA). The proposed 3 no. buildings and all ancillary residential development is proposed within the RA zoning. A hedgerow approx. 25 years old runs east-west through the HA zoned land and forms a boundary with the golf course.

The entirety of the application area approx. 1.7 hectares lie outside the existing Howth Castle boundaries defined within the Howth Castle ACA. It has quite correctly been identified by the Conservation Officer as lying within the boundaries of the historic estate. However, the significance of this must be considered as somewhat limited once seen in light of the vast original extent of that historic estate. The historic estate covered a large part of Howth and included the Claremont/Techrete site that lies directly north of the entrance to Howth Castle as well as all of the adjoining single-storey ribbon development to the west of the subject site. None of these elements are considered to lie within the Howth Castle estate at present and the subject site must similarly be considered to lie outside of it.



Fig. 1: Extent of Historic Howth Castle Estate indicated by the red line. Large amounts of suburban ribbon development are visible to the west and north of the original estate boundary. Some of the estate boundary walls survive as the front garden walls of some of the housing to the west of the front entrance. The Claremont/Techrete site to the north also lies within the Historic Howth Castle Estate.

The two critical parts of the current Fingal County Council Development Plan policy which relate to the status of the subject site are the Howth Castle Demesne ACA and the Record of Protected Structures, the relevant part thereof included within the ACA document. A map which clearly delineates the extent of the current Howth Castle Demesne and ACA is provided within the ACA documentation. The subject site is clearly located outside the ACA and the current estate boundary established within the ACA. The significant views within the ACA are also identified and the visual impact assessments within the EIAR have demonstrated that, whilst some of these protected views may be affected by the permitted Claremont SHD development on the Techrete site, they will not be affected by the current proposed development due to the heavy screening along the boundary wall to the north east of the current estate boundary.



Fig. 2: Extent of Current Howth Castle Demesne/ACA (2005) indicated by the broken line. The Protected Structures locations and extents are also clearly indicated by the red dashed areas.

So, whilst the site might be considered to lie within the original historic parkland setting, it no longer forms part of the current estate or indeed the curtilage of any Protected Structures within it. The delineation provided within the ACA on the Development Plan follows the line of the boundary wall to the west of the avenue and it separates the subject site from the estate in terms of the Development Plan. The subject site is also a site that is both in separate ownership and is physically separated from the estate to the south and east both by dense planting and boundary walls which screen the proposals from views within.

Fionnuala May, the Fingal County Architect, correctly notes in her report (dated 23 October 2020) to An Bord Pleanála on the proposals that the subject site lies outside the current Howth Castle Estate having “...a contiguous boundary (south) with the Castle Demesne and that the site would be considered to be attendant grounds...”

The DoCHG provide guidance under the 2000 Planning Act in respect of attendant grounds as follows -

“13.2 Determining the Attendant Grounds of a Protected Structure

13.2.1 The attendant grounds of a structure are lands outside the curtilage of the structure but which are associated with the structure and are intrinsic to its function, setting and/or appreciation. In many cases, the attendant grounds will incorporate a designed landscape deliberately laid out to complement the design of the building or to assist in its function. For example, the attendant grounds to a mill building will include, where these survive, the mill-race,

millpond, the tail-race, flumes, sluice-gates, and any related weirs and dams. Flax-mills may have had drying greens. The attendant grounds of a country house could include the entire demesne, or pleasure grounds, and any structures or features within it such as follies, plantations, earthworks, lakes and the like.

13.2.2 Where the curtilage of a protected structure has altered since the time of its construction, there may be important features of the original, or of a previous, curtilage which would not automatically be protected within the definition of the protected structure.

13.2.3 A planning authority has the power to protect all features of importance which lie within the attendant grounds of a protected structure. **However, such features must be specified in the RPS and the owners and occupiers notified in order for the features to be protected. (emp added)**

13.2.4 When identifying features for protection within the attendant grounds of a protected structure, it is important that the planning authority has knowledge of the historical development of the site and the interrelationship of the elements. This may require research into old maps, documents or drawings to determine the extent of any attendant grounds and to identify surviving features such as gate-lodges, designed vistas, avenues, gardens, earthworks, woodlands and other landscape features, boundary walls and any other structures associated with the protected structure. There may also be a need to consider the existence of any buried features such as the foundations of demolished ancillary buildings, filled-in mill-ponds, overgrown or grassed-over garden features and the like. An inspection of the site will be required to locate the existence of important features of the attendant grounds and assess their contribution to the character of the protected structure.

13.2.5 The planning authority should be clear about what land, structures or features it wants to protect and should use other legislative powers available to it to protect these rather than try to stretch the definition of curtilage beyond its true meaning. For example, where there is doubt as to whether or not distant features such as boundary walls, dovecotes, icehouses or gate-lodges are within the curtilage of a protected structure, the planning authority can ensure their protection by specifying them within the RPS as features for protection within the attendant grounds of the protected structure and notifying all owners and occupiers. Alternatively, the planning authority has the power to establish an ACA to include the land, structures or features it wishes to protect. The designation of an ACA could be used to protect a former country house demesne and the structures and features within it or a churchyard containing the church itself and a disparate group of fine monuments. (emp added)

Changes in the ownership and subdivision of property can affect the extent of a curtilage. The structures illustrated here, including a dovecote, glasshouses and outbuildings have, for some time, no longer been associated with the principal house although originally within its curtilage. In order to be protected as items within the attendant grounds they must be specified in the RPS. Alternatively, they could be included in the RPS in their own right.

13.2.6 Where the present curtilage of the protected structure has not been established at the time of inclusion in the RPS, the planning authority should ensure that all important features are either:

- a) specified as being in the attendant grounds of the protected structure or
- b) are themselves entered in the RPS and
- c) the owners and occupiers notified of the protection.”

Similar to the suburban developments further west along Howth Road, some of which retain elements of the original demesne wall as their front garden boundary, the subject site must be considered as lying within attendant grounds. The mapping within the ACA is absolutely clear on the extent of attendant grounds which it seeks to protect. No provision has been made by the Planning Authority to protect elements beyond the defined ACA through additional inscription or reference. In accordance with the DoCHG Guidance, any attendant grounds of significance should either have been included within the ACA boundary or identified within the RPS inscription.

The inscription on the RPS reads as follows -

- *RPS No. 556 Howth Castle, Howth Demesne Medieval castle (with later additions and alterations) including wings, towers, stables and 19th century entrance gates*

The impacts here must be considered in relation to their effects on the ACA from a site adjacent to it (just as the Claremont site has) and on the immediate and overall setting of the 19th Century entrance gates (a Protected Structure). It is important to note that the impacts for assessment do not relate to a subject site that lies within the curtilage or within an historic setting that has been identified as having significance.

3.0 Response to Issues Raised by Fingal County Council Conservation Officer

Five points were raised by the Conservation Officer in the report of 23rd October 2020 as follows–

“Conservation, Visual Impact and Archaeology

- a) The proposed scale and mass of the development is not acceptable relative to the sensitive historic setting. Further consideration of the view to and nature of the entrance to Howth Castle Demesne requires further work and design development.***
- b) Further consideration in relation to how the proposed development would relate to the development granted on the Techrete site in order to determine cumulative impact.***
- c) Consideration should be given to the provision of supplementary planting and screening outside the periphery, at the western side of the main entrance avenue both inside and outside the entrance gates to the demesne and the rear southern boundary with the outbuilding complex, yard and smaller walled garden and other sensitive points within the site.***
- d) The potential views from within the castle are important. In the proposed form the development would dramatically alter the character of this section of the former parkland to the south. The southern elevation and how the whole scheme with deep footprint and excessive height as would be seen from the***

lands to the south should form part of the consideration of the impact on the former parkland.

- e) *The applicant is requested to undertake an Archaeological Impact Assessment. The AIA should assess the baseline archaeological and cultural heritage environment by examining desktop sources, undertaking an archaeological geophysical survey and test trench excavations, evaluate the likely significant impacts that the proposed development would have on this environment and provide appropriate mitigation measures.”*

In response to each of these points –

- a) The massing and scale of the proposals have been given very particular consideration with respect to the historic setting. A large number of views from within the estate have been tested and these demonstrate that the massing and scale of the proposals are acceptable as they will be disguised from within the historic setting and invisible from protected viewpoints due to historic boundary planting. The roadside view of the north side of the entrance along the Howth Road is not formally protected (unlike the view of the church looking east from this location) but nevertheless lies within the ACA and merits consideration as part of the overall setting to the Entrance Gates. Unlike views from within the estate, the character of this view already comprises dominant contemporary elements including the carriageway, the grassed roundabout and the late-20th century suburban development to the west. It is important to note that the 19th Century entrance gates in this location are not a dominant feature as they are recessed a long distance from the roadside with the demesne wall and planting acting as a funnel towards it and as a visual separation between the subject site and the entrance. Both of the important boundary features to the west will be enhanced by the proposals to consolidate and restore the masonry and to reinforce historic planting. The proposed new buildings will be held back some distance behind these boundary features.
- b) The cumulative impact of the development with the Techrete/Claremont site has been considered and it is clear that the Techrete proposals will have some impact on protected views within the estate. The current proposals will not add to this impact as they are screened by the heavy planting to the north-west of the estate. The current proposals will, for instance, not be visible in the protected view from inside the front entrance but the development on the Techrete site will be clearly visible.
- c) Additional screening outside the periphery is not something that the applicant can propose as it lies on a side outside of its control. Screening planting has been given very particular consideration however and there is to be significant planting inside the boundaries. This is balanced against the need to allow light and defensibility to the new open space behind the northern boundary to the subject site.
- d) All of the protected views within the castle site have been examined and these include views from within the Lutyens wings to the castle looking south where there is the potential to see the proposed development. It is clear in this view that

- the development will not be visible from the south due to the dense historic planting along the entrance avenue and to the west.
- e) I understand that this has been undertaken by other consultants.

The Conservation Officer makes reference to the character of the Howth Road to the west which comprises a dominant carriageway and footpath, an amount of modest 1960s/70s ribbon development stretching west - some of which retain sections of demesne wall and planting. There is also a suggestion by the Conservation Officer there should be “...*due regard to retention of the established character...*” It is important to note that whilst the character along Howth Road may be established, its quality has neither been protected nor identified for retention within the Development Plan. This is in strict contrast to the character which has been established and protected within the Howth Castle ACA. The established character of the receiving environment on the Howth Road to the west (and north) comprises many contemporary characteristics which don't relate in any way to the Howth Castle Demesne. The Claremont/Techrete site also lies in this area to the north and adjacent to the Howth Castle Demesne ACA and will have direct impacts on views from and within the estate as demonstrated within the EIAR and the Photomontages. The quality and status of the ‘established character’ on Howth Road must be considered in the round i.e. past, present and future permitted development.

The Conservation Officer report states that the proposals will have “...*a significant and devastating impact on the landscape which would contribute to a negative impact upon the setting of a Protected Structure which is considered to be of National Importance and in its current format would be unacceptable.*”

It should be noted that there is no impact at all on the setting of the Castle itself which is indeed of National Importance. Views from within that setting will be unaffected also. There will be an impact on the overall setting to the 19th Century Entrance Gates which is addressed in the EIAR. This is a later element in the estate that has been rated by the NIAH as being of Regional Importance – not National Importance. The impact on the immediate and overall setting of the entrance gates should be considered in this light and with regard to the Howth Castle Demesne ACA. There is, in fact, no impact at all on any historic landscape of National Importance.

The Conservation Officer makes reference to the “*established character to the west*” and that there is “...*no considerate transition...*” in this case. The character to the west is neither protected nor part of the ACA. It should be noted again that there is permitted development directly adjacent to the north which will establish a very different scale of development in this area. There is a suggestion that the scale will be visually incongruous but this should be considered against this permission and the impact it will have on the approach from the west. The Conservation Officer suggests that the scale of this permitted development should be viewed as “...*an exception...*” but it is not clear as to why. The Claremont/Techrete development directly impacts on a Protected view from within the ACA.

In their assessments, the Planning Authority do recognise the improvements that were made to the proposals through the subdivision, disaggregation and relocation of the significant massing to the three blocks. They suggest that supplementary planting between the buildings and the demesne wall would assist also. Indeed, historic mapping indicates that there was significant planting behind the demesne wall previously and introducing a greater density of planting here will certainly reduce the impact of the proposed buildings which are set back some distance from the demesne wall.

Reference should be made to the DoCHG guidance on Development within Attendant Grounds -

“13.7 Development within the Attendant Grounds

13.7.1 It is essential to understand the character of a site before development proposals can be considered. Where attendant grounds of particular significance are proposed for development, a conservation plan could be prepared in advance of any planning application which would identify the significance of the site and locate areas within the designed landscape, if any, which could accept change and development and those areas which could not without damaging the architectural heritage of the place.”

The Planning Authority, in establishing the ACA in 2005, delineated areas within the attendant grounds which could accept change and areas which could not. Important views were established within this addition to the Development Plan. The subject site lies outside these parts of the attendant grounds and is generally not visible from any of the Protected Viewpoints.

The Guidance provides criteria for assessing development within attendant grounds of interest and, whilst the subject site clearly lies outside the established ACA area, they are worth considering here nevertheless.

“13.7.2 When dealing with applications for works within the attendant grounds of a protected structure, a visit to the site should be considered an essential part of the assessment.

The planning authority should consider:

a) Would the development affect the character of the protected structure”

The development will not directly affect the character of any of the Protected Structures. The only impact that arises is in relation to the overall setting to the north of the entrance gates. The overall setting to the entrance gates will be affected as set out in the EIAR and AHIA. At present, the gates have a diminutive influence within the overall Howth Road streetscape due to their severely recessed location and contemporary characteristics on the road. An increase in the density of planting here will assist in bringing the gates into focus. Closer views of the gates within their immediate front setting to the north will be unaffected.

“b) Would the proposed works affect the relationship of the protected structure to its surroundings and attendant grounds?”

The entrance gates and the other Protected Structures within the site have no visual connection with the subject site due to the physical separation of the boundary wall and the dense planting that runs north-south along the western edge of the Howth Castle ACA boundary.

“c) Would the protected structure remain the focus of its setting? For example, a new building erected between a structure and a feature within the attendant grounds will alter the character of both;”

The protected structures within the ACA will all remain the focus of their setting and there is no proposal to build anything between a Protected Structure and an identified feature within the attendant grounds, for instance on the entrance avenue. The proposals are confined to an area outside the Howth Castle ACA. The overall setting to the entrance gates will be affected as set out in the EIAR and AHIA. At present, the gates have a diminutive influence within the overall Howth Road streetscape due to their severely recessed location and contemporary characteristics on the road. An increase in the density of planting here will assist in bringing the gates into focus. Closer views of the gates within their immediate front setting to the north will be unaffected.

“d) Do the proposed works require an alteration of the profile of the landscape, for example, the creation of a golf course? How would this affect the character of the protected structure and its attendant grounds?”

None.

“e) Do the proposals respect important woodland and parkland? Do they conserve significant built features and landscape features?”

The proposals seek to consolidate and restore sections of the stone demesne wall which will be enjoyed as part of the new development. Increased planting which better reflects the original boundary planting to the northeast is proposed as well. The significant tree lines leading to and along the entrance avenue will not be affected.

“f) Are there important views of or from the structure that could be damaged by the proposed development? Would important vistas be obstructed by new development?”

The issue of views is addressed in detail throughout the EIAR. Whilst views of the entrance gates to the north are not specifically protected within the ACA, the impacts here have been given particular consideration.

“g) Would distant views of important architectural or natural landmarks be blocked or changed? Would a significant skyline be altered?”

The Landscape and Visual Assessment within the EIAR address the visual impact from the vicinity and the surrounding area and no natural landmarks or significant skylines are being affected by proposals.

“h) Even where the proposed development is at a distance from the protected structure, could it still have an impact? This could include tall or bulky buildings interrupting views of or from the protected structure and other features of the designed landscape;”

A large number of views have been tested in this regard also with reference to cumulative impacts arising out of the Claremont site. There are no significant impacts on distant views identified within the EIAR.

“i) Where the new works would not be directly visible from the protected structure, would they be visible from the approaches to the structure or from other important sites or features within the attendant grounds? If so, would this be acceptable?”

The proposal is visible in wider views of the entrance gates but is not visible from the gates themselves or from important sites within the ACA or even from significant views within the Castle interiors.

“j) What effect would the scale, height, massing, alignment or materials of a proposed construction have on the protected structure and its attendant grounds?”

The scale and massing is significant and the impact has therefore been assessed through assessment of large numbers of views from important locations. For the most part these have revealed a ‘redline’ impact where trees and existing structures screen the proposals from view. As noted elsewhere, there is a visible impact on the overall front setting to the north of the entrance gates. This impact could be mitigated further by increasing the density of boundary planting onto the Howth Road.

Yours sincerely,

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For

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