

# **COMHAIRLE CONTAE ÁTHA CLIATH THEAS** **SOUTH DUBLIN COUNTY COUNCIL**



## **MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, June 14, 2021**

**HEADED ITEM NO. 10**

**Chief Executive's Report on Public Consultation for Proposed Extension and Alterations to the former Court of Petty Sessions, Main Street, Rathcoole, Co. Dublin**



Frontal View of Existing Rathcoole Courthouse

### **1. Introduction**

In accordance with the requirements of Part XI of the Planning and Development Act, 2000 (as amended), ("the Act") and Part 8 of the Planning and Development Regulations, 2001 (as amended) ("the Regulations"), South Dublin County Council is seeking planning consent for proposed extension and alterations to Rathcoole Courthouse on the Main Street of Rathcoole Village, Co. Dublin to update the facility for continued and enhanced local community usage.

The proposed development will consist of repair, enhancement and conservation works to the existing building, which is a protected structure and construction of a new extension behind the former courthouse building that will include a café/serverly with kitchenette, a meeting room and toilet facilities. The works will also include the demolition of existing outbuildings, gates and part of the rear boundary wall in the yard behind the courthouse building.

The purpose of this Chief Executive's Report is to present the outcome of the public consultation, to respond to submissions made during the consultation period and to make recommendations in relation to the proposed development where appropriate.

## **2. Legislative Context**

Section 179 (3) (a) of the Act, requires that the Chief Executive shall, after the end of the public consultation period, prepare a written report in relation to the proposed development and submit the report to the members.

Section 179 (3) (b) of the Act outlines that a report shall:

1. Describe the nature and extent of the proposed development and the principal features thereof, and shall include an appropriate plan of the development and appropriate map of the relevant area.
2. Evaluate whether or not the proposed development would be consistent with the proper planning and sustainable development of the area to which the development relates, having regard to the provisions of the Development Plan and giving the reasons and the considerations for the evaluation.
3. List the persons or bodies who made submissions or observations with respect to the proposed development.
4. Summarise the issues, with respect to the proper planning and sustainable development of the area in which the proposed development would be situated, raised in any such submissions or observations, and give the response of the Chief Executive thereto, and,
5. Recommend whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in the report, or should not be proceeded with, as the case may be.

Under Section 179(4) of the Act, the Elected Members shall, as soon as practicable, consider the proposed development and the report of the Chief Executive. Following the consideration of the Chief Executive's report, the proposed development may be carried out as recommended in the Chief Executive's report, unless the local authority, by resolution, decides to vary or modify the development, otherwise than as recommended in the Chief Executive's report, or decides not to proceed with the development. A resolution must be passed not later than six (6) weeks after receipt of the Chief Executive's report.

## **3. Site Description**

The former courthouse and its site are located on the main street of Rathcoole village. The ordnance survey grid reference is 701977, 726733 and the map sheet number is 3388-18. The area of the footprint of the existing courthouse building is 88 square meters.

The area of the site of the courthouse, including the forecourt to the former judge's robing room, the yard to the rear and the outbuildings and offices arranged around the yard is 336m<sup>2</sup>, or 0.08 of an acre, or 0.0336 hectares.

The former courthouse is a single storey, detached building situated on the south side of the Main Street of Rathcoole village, to the south of the N7 national route. The existing former courthouse and

outbuildings are within an existing, defined site and the completed works will not impact on the surrounding dwelling plots.

In terms of construction detail and finishes, the former courthouse is built from common canal bricks with external lime roughcast wall finishes to side and rear, and a more formal façade treatment to the main street. The interior is finished with smooth lime plaster. All external windows and doors and internal doors are of timber. The windows are side-hung casements with top-hung vent lights, most of the doors are flat-panelled doors with planted-on bolection mouldings. The floors are raised suspended timber floors, and the simple pitched roofs are covered with a fibre cement tile arranged in a diamond pattern. Decorative details and internal finishes are plain and robust.

There is a small forecourt before the entrance to what was the former judge's robing room, and a small yard to the rear which contains more modern outbuildings. The ground surface of the forecourt comprises concrete pavements while the yard ground surface is poured concrete.

The lands are zoned under the South Dublin County Council Development Plan 2016-22 Zoning Objective VC: "To protect, improve and provide for the future development of Village Centres". The zoning of the site supports an extension to the existing building on the site and the proposed development complies in principle with the relevant Development Plan policies and the planning designation for community use.

#### **4. Scheme Description**

The proposed development consists of the following works:

- demolition of the existing outbuildings in the rear yard and part of the boundary wall to the rear of the former courthouse
- demolition of part of the back wall of the existing courthouse building to create a 2.4 metre wide and 2.4 metres high opening in the existing wall to connect with the proposed new extension
- construction of new extension in the rear yard of the former courthouse comprising a meeting room, a café-servery with kitchenette and toilet facilities including an accessible bathroom
- modifications, conservation works, repairs and enhancements to the existing building, which is a protected structure, including:
  - repair of the structural roof timbers, cornice above the larger room and various internal finishes
  - replacement of the existing roof tiles with new roof tiles
  - repair and partial replacement of the suspended timber floor
- construction of a new rear 61m<sup>2</sup> extension to the courthouse building that will include a café/servery area with kitchenette, a meeting room and accessible toilet facilities and other
- Accessibility works including an access ramp up to the stage in the large room of the existing building, the fitting of an automated electronic motor to the entrance door to the smaller room and external access ramps
- All required associated mechanical/electrical works and ancillary works within the confines of the site.

Further details in relation to the proposed development including plans and reports, are available at the following link: [Rathcoole Courthouse Part 8 plans, drawings, reports etc.](#) while the County Architect's report is attached separately.

The estimated cost of the proposed works is approximately €390,000 inclusive of VAT excluding professional fees, capital contributions, fees and levies payable. The project is being part funded by South

Dublin County Council with provision made in the Council's Three-Year Capital Programme 2021-2023. The overall project budget is also subject to approval by the Department of Rural and Community Development who are grant aiding the project under the Town and Village Renewal Scheme.

## 5. Public Consultation

Plans and particulars of the proposed development were available through the Council's online Public Consultation Portal for six weeks from 12<sup>th</sup> April to 25<sup>th</sup> May 2021 inclusive during which period submissions were invited. In addition, notices and information in relation to the proposed development were included in the Echo Newspaper, the Chief Executive's Monthly Report for May 2021 and the Council's social media channels.

## 6. Environmental Impact Assessment and Appropriate Assessment

The proposal has undergone Appropriate Assessment Screening under the Habitats Directive (92/43/EEC) and screening for Environmental Impact Assessment. The Appropriate Assessment Screening Report has concluded that there is no real likelihood of significant effects on the environment arising from the proposed development and a determination has been made that an Environmental Impact Assessment (EIA) is not required. Any person may, within 4-weeks from the date of publication of this notice, apply to An Bord Pleanála for a screening determination as to whether the development would be likely to have significant effects on the environment. This screening report has evaluated the proposed development by the Council at the site to determine whether or not significant negative impacts on Natura 2000 sites are likely to arise by virtue of its construction and use. The Appropriate Assessment Screening Report is included in the documents which form part of this public consultation.

## 7. Outcome of Public Consultation Process

A list of all the persons, organisations and bodies that made submissions is provided in the table below including the method of submission (copies of the submissions are included in an appendix to this report).

A total of two submissions/observations were received as follows:

Ref.	Person/Prescribed Body	Method of Submission	Category
1.	Eugene McElhinney	Consultation Portal	Environmental
2.	Irenie McLoughlin Architectural Conservation Officer, SDCC	Written Submission	Architectural Conservation of Built Heritage

## 8. Summary of Issues Raised and Chief Executive's Responses & Recommendations Submission

### Category No. 1 – Environmental

The submission requested the inclusion of swift brick, bird and bat boxes in the project to support nesting sites for birds and bats. Additionally, the inclusion of raised beds with pollinator-friendly perennial plants which would benefit insects and provide a food source for the nesting birds was also requested.

### Chief Executive's Response:

The submission is acknowledged as consistent with local and national policy around wildlife habitats and biodiversity and provision can be made in the proposed works to include bat boxes and bird nesting boxes subject to their proposed design and placement on site being informed and refined by an appropriate wildlife survey in advance of works commencement. Provision for a raised bed with pollinator-friendly perennial plants will also be considered in the proposed courtyard space.

### **Submission Category No. 2 – Architectural Conservation of Built Heritage**

The submission in relation to architectural conservation approved the proposed works in accordance with the details and drawings contained within the Architectural Conservation Report for Part VIII public display/consultation process dated 12th April 2021 but requested that agreement on the specific nature of all conservation, repair, replacement or reinstatement works with the Council’s Architectural Conservation Officer in advance of any works. It further recommended that the agreement will be based on details provided in a Final Method Statement and Schedule of Works which should be prepared as part of the agreed scope of works to the Protected Structure to allow the specific details and specifications to be agreed prior to the work ensuring the best conservation practice and approach in the adaptation and upgrading of a Protected Structure.

### **Chief Executive’s Response:**

All of the conditions requested by the Council’s Architectural Conservation Officer will be complied with during the project without requiring any amendment to the proposed works.

### **9. Recommendation**

Following consideration of the submissions received which can be satisfactorily addressed as outlined above, it is considered that the proposed development is in accordance with the proper planning and sustainable development of the area and therefore it is recommended that the Council adopt the following Motion:

*“As the proposed development is in accordance with the proper planning and sustainable development of the area, the Council approves the development of the proposed alterations and extension at Rathcoole Courthouse, Main Street, Rathcoole, Co. Dublin.”*

that the issues raised by way of the submissions can be satisfactorily addressed as

*Daniel McLoughlin*

*8<sup>th</sup> June 2021*

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**Chief Executive**

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**Date**

## Appendix 1: Submissions Received

A list of all the persons, organisations and bodies that made submissions is provided in the table below including the method of submission followed by copies of the submissions made:

Ref.	Person/Prescribed Body	Method of Submission	Category
1.	Eugene McElhinney	Consultation Portal	Environmental
2.	Irenie Mcloughlin Architectural Conservation Officer, SDCC	Written Submission	Architectural Conservation of Built Heritage

### Submission 1:

[Home](#) > [Consultations](#) > [Part 8 Consultation for Proposed Extension and Alterations to Rathcoole Courthouse](#) > [Submissions](#) > Inclusion of swift bricks and bird and bat boxes in alterations

## Inclusion of swift bricks and bird and bat boxes in alterations

**Author:** Eugene McElhinney

### Observations

**Rathcoole Courthouse**

**Title:** Inclusion of swift bricks and bird and bat boxes in the project

It's is easy to now include nesting sites for birds and bats in any building project. With the huge decline in swift numbers and sparrow numbers, another bird who also benefits from swift bricks, it would be the perfect opportunity to give a helping hand to wildlife with little to no impact on the finished product.

Also if there was the space a raised bed or two filled with pollinator friendly perennial plants would benefit our insect population which is also in serious trouble and provide a food source for the nesting birds.







So to sum up I would like to ask that consideration be given to the inclusion of bird and bat boxes and bricks, plus pollinator friendly initiatives be included in this project especially now with the serious decline in their numbers when such a wonderful opportunity exists to do so.

### Information

Unique Reference Number: SD-C185-1  
Status: Submitted

Date Submitted: 23.05.2021 - 1:18pm  
No. of documents attached: 0  
Boundaries Captured on Map: No

Consultation:  
[Part 8 Consultation for Proposed Extension and Alterations to Rathcoole Courthouse](#)

### Submission 2:

## **SOUTH DUBLIN COUNTY COUNCIL**

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### **REPORT OF ARCHITECTURAL CONSERVATION OFFICER**

**PART 8 - PROPOSED EXTENSION AND REFURBISHMENT TO RATHCOOLE COURTHOUSE (A PROTECTED STRUCTURE, RPS REF. 319).**

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Record of Protected Structures

Rathcoole Courthouse is referred to in the Council's Record of Protected Structures - Schedule 2 of the South Dublin County Development Plan 2016-2022 under Map Ref. No.319. Under Section 2 of the Planning and Development Act 2000, the term 'structure' means *"any building, structure, excavation, or other thing constructed or made on, in, or under any land, or any part of a structure so defined, (a) where the context so admits, includes the land on, in or under which the structure is situated, and (b) in relation to a protected structure or proposed protected structure, includes (i) the interior of the structure, (ii) the land lying within the curtilage of the structure, (iii) any other structures lying within that curtilage and their interiors, and (iv) all fixtures and features which form part of the interior or exterior of any structure or structures"*. Therefore, the entire site is a protected structure, including all existing buildings on site including their exteriors, interiors, fixtures and fittings. The Protection also extends to the lands of the site and as such come under the provisions of the Planning and Development Act 2000.

### **Architectural Conservation Area**

The subject site is located within Rathcoole Village Architectural Conservation Area.

### **Appraisal**

The works proposed at the above mentioned Protected Structure are being sought under Part VIII (Part VIII of the Planning and Development Regulations 2000). The proposed development consists of a rear extension and alterations to the existing Rathcoole Courthouse Building, the proposals also allow for conservation repairs within the existing building and upgrading of services and compliance with Part M of the Building Regs. It is proposed to carry out essential and remedial repairs to the existing building as detailed in the Conservation Report which includes a condition assessment and architectural impact assessment carried out by the SDCC Architectural Services Department. Initial details of the proposed works and proposals to extend the Protected Structure were sent to the Councils Architectural Conservation Officer prior to the formal Part VIII process.

The works proposed are summarised below and assessment of works provided;

- Demolition of the existing outbuildings and gates which are in the yard behind the former courthouse building – it should be noted that the existing building is of no architectural merit.
- Demolition of part of the back wall of the former Courthouse building where the proposed new extension will connect to the existing building – the proposed demolition work is required to facilitate the new proposed rear extension.
- Works to allow access for all members of the community within the existing building – The proposed works to improve access and internal facilities is in line with Part M of the Building Regs to include for universal access and facilities to be provided as required.
- Repair and partial replacement of the suspended timber floor – It is considered that opening up works are required to determine the extent of the replacement. It is at this stage that a schedule of works and method statement will be agreed with the Councils Architectural Conservation Officer.
- Replacement of roof tiles with new tiles – The asbestos cement roof tiles will be removed and replaced with new fibre cement tiles to match the existing design, profile and joining pattern. It is considered that the replacement is necessary and will be carried out in accordance with conservation principles.
- Repair to structural roof timbers and cornice damaged by water ingress – Required remedial repairs which will be carried out in accordance with conservation principles and methods.
- Mechanical and electrical works are required – where possible existing routes will be used to insert new services. These services are required in order to allow for upgrading as part of the continued use of the building and new services.

The works as detailed above have been considered as part of the overall assessment of the Part VIII application. An Architectural Impact Assessment has been provided as part of the Architectural Conservation Report as part of an evaluation of the proposed works and any possible impacts and necessary

mitigation measures. It is considered that the approach taken for the proposed works architectural conservation principles have been adhered to thereby minimising any potential impact. All conservation, repair, replacement or reinstatement will be agreed with the Councils Architectural Conservation in advance of any works.

The proposed single-storey rear extension is a simple design, its form and scale allow the new addition to sit comfortably within the site. The new extension cannot be viewed from the front site and therefore there is no negative visual impact. The modest addition allows for additional services and function to be provided within the existing Protected Structure, thereby allowing greater flexibility and long term use of the building.

It is considered that overall the proposed development allows an opportunity for the existing building to be repaired, refurbished and continued use, at the same time as retaining the integrity and architectural importance of the former Courthouse and the new extension sensitively connects to the existing building.

The condition assessment which is included in the Conservation Report, provides an overview of the external and internal condition of the existing structure to include existing rooms, layout and finishes with brief details of the proposed works/interventions. It is considered that a Method Statement and Schedule of Works will be required for agreement and approval regarding the specific treatment of internal finishes and the repair and reinstatement of architectural features.

It is considered that the proposed development is acceptable, subject to the following recommendations/conditions:

### **Recommendations**

1. It is considered that conservation, repairs and restoration work to the existing Protected Structure shall be carried out in accordance with the details and drawings contained within the Architectural Conservation Report for Part VIII public display/consultation process (12<sup>th</sup> April 2021).

As opening up/enabling works are required to determine the full extent of internal repairs, details shall be agreed and approved by the Councils Architectural Conservation Officer and agreement will be based on details provided in a Final Method Statement and Schedule of Works which should be prepared as part of the agreed scope of works to the Protected Structure. This will allow the specific details and specifications to be agreed prior to the work ensuring the best conservation practice and approach in the adaptation and upgrading of a Protected Structure.

All works to the existing Protected Structures shall be carried out in accordance with good conservation principles and conservation methodology as per the details provided in the Conservation Report. A clear methodology by way of a schedule of works and method statement shall be agreed prior to formal design and tender stage, ensuring the correct use of suitable materials and methods.

Reason: To ensure works to the existing structure are carried out in accordance with good conservation practice and that works to a Protected Structure is carried out in accordance with conservation principles ensuring the correct use of materials and traditional methods are applied.

2. The Protected Structure should be safeguarded during the proposed works. A method statement should be provided to include necessary measures which will be put in place to protect the Protected Structure and associated features during the demolition and construction works.

Reason: To ensure a safety statement is provided in the safeguarding of the Protected Structure and all associated features as part of an overall Method Statement for works to the existing building.



3. A Schedule of materials and finishes for the proposed new extension is required in order to ensure that the quality and finishes are acceptable.  
Reason: To ensure the materials and finishes are of high quality and allow for a good quality addition to the Protected Structure.

**Irenie McLoughlin**  
**Architectural Conservation Officer**  
**South Dublin County Council**

**Date: 24<sup>th</sup> May 2021**