Our Case Number: ABP-308770-20

Planning Authority Reference Number: D20A/0406

An Bord Pleanála

Mount Merrion Residents Association
c/o Francis J. Moran
90 The Rise
Mount Merrion
Blackrock
Co. Dublin
A94 H5P2

Date: 13 January 2021

Re: Demolition of vacant industrial building and 2 dwellings.
Site at No's, 24, 26 and 28, Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to the above mentioned appeal.

The Board is of the opinion that, in the particular circumstances of this appeal, it is appropriate in the interests of justice to request you to make submissions or observations in relation to the enclosed submission dated 22nd December 2020 received from John Spain Associates on behalf of Strand Court Limited.

In accordance with section 131 of the Planning and Development Act, 2000, (as amended), you are requested to make any submissions or observations that you may have in relation to this enclosure by **February 2nd 2021.** The Board cannot consider comments that are outside the scope of the matter in question. Your submission in response to this notice must be received by the Board not later than **5:30pm on the date specified above.**

If no submission or observation is received before the end of the specified period, the Board will proceed to determine the appeal without further notice to you, in accordance with section 133 of the 2000 Act.

Please quote the above appeal reference number in any further correspondence.

Yours faithfully,

Sorcha Skelly
Executive Officer
Direct Line: 01-8737164

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The Secretary
An Bord Pleanala
64 Marlborough Street
Dublin 1

Date: 22nd December 2020

Dear Sir/Madam,

RE: RESPONSE TO 11 NO. THIRD PARTY APPEALS LODGED IN RESPECT OF DLRCC's DECISION TO GRANT PERMISSION FOR THE PROPOSED DEMOLITION OF ALL EXISTING BUILDINGS AT 24, 26 AND 28 FOSTER'S AVENUE, MOUNT MERRION, BLACKROCK, CO. DUBLIN

DLRCC REG. REF.: D20A/0406

AN BORD PLEANALA REF.: 308770-20

1.0 INTRODUCTION

1.1 On behalf of the applicant, Strand Court Limited, The Herbert Building, The Park, Carrickmines, Dublin 18, we refer to your correspondence of the 27th November 2020 (copy attached at Appendix 1) enclosing third party appeals by Colm and Dominque Carey, and Francis J Moran on behalf of the Mount Merrion Residents Association, and to your correspondence of the 2nd December 2020 (copy attached at Appendix 2) enclosing third party appeals by the following:

- FP Logue Solicitors on behalf of Robert Hussey
- Jean Cooper
- Nico Petris
- John Collins
- Noel and Niamh Sheridan
- Elizabeth Connolly
- Desmond and Elizabeth O'Reilly
- Alex and Delores Wadkin
- Mr D. Hayes and Dr E. A. O'Reilly

1.2 On behalf of our client, we wish to lodge a response to these 11 no. third party appeals. The appeals relate to a notification of decision of Dun Laoghaire Rathdown County Council dated the 4th November 2020 to grant planning permission for the

above referenced development. A copy of the notification of decision to grant planning permission is attached at Appendix 3.

1.3 This response will address each of the key issues raised in the third party appeals, with reference to the application documentation and appendices enclosed, which can be summarised under the following headings:

- Planning permission is premature
- Insufficient particulars in relation to asbestos
- Destruction of bat roosts and compliance with the Habitats Directive
- Environmental Impact Assessment / Project Splitting
- Demolition of habitable houses contrary to the Development Plan
- Protection of the residential amenity of the local area
- Boundary treatment concerns

1.4 Section 5 of this report sets out a detailed response to each of the issues raised in the third party appeals.

1.5 For a detailed justification of the proposed development, we refer the Board to the application cover letter, drawings and associated information submitted with the planning application and the FI Response documentation, which set out a detailed analysis and assessment of the appropriateness of the proposed demolition at the subject site.

1.6 As outlined in the application documentation it was considered necessary to bring forward this application for demolition of all existing buildings at this time due to their poor condition and to address health and safety concerns associated with the existing structures on the site, following the acquisition of the site by the applicant in 2019. The accompanying documentation set outs that the buildings are in an advanced state of disrepair and it is considered that their removal will allow for the clearing of the site to make way for a new high-quality residential development in an orderly manner. The applicant has separately submitted an application, Reg. Ref.: D20A/0670, for the residential development, including demolition as the subject application is still under consideration, and this application is currently the subject of a FI request.

1.7 We respectfully request the Board to uphold the Planning Authority's decision and issue a grant of permission as soon as is practical.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The subject site is located on the southern side of Foster's Avenue, approximately 250m south west of the junction with the N11 Quality Bus Corridor. The site is opposite the UCD Nova access into the UCD Belfield campus, which is on the north side of Foster's Avenue.

2.2 The site has an area of c. 0.60 ha. It includes two vacant residential dwellings at No. 28 Foster's Avenue (Glenville) and No. 24 Foster's Avenue (Sunnyside) and a separate vacant industrial building (former Glenville Industrial Estate), as indicated in Figure 1 below. The existing buildings on site are in a poor condition, as illustrated in Figure 2 to 4 below and in the photographs included in the Structural Inspection of Existing Buildings report prepared by DBFL Consulting Engineers (submitted with the application).

2.3 The site is located to the north of an elevated residential area known as 'The Rise' and there is a retaining wall along the southern site boundary such that it is over 2m below the adjoining residential properties to the north on St. Thomas' Road.

2.4 There are a substantial number of mature trees within the residential site and on the boundaries of the industrial site. The site has frontage and vehicular access points to Foster's Avenue. The site is surrounded by residential properties at Foster's Avenue, The Foster's and St. Thomas' Road. The Eastern By-Pass Motorway Reservation runs to the north of Foster's Avenue and extends onto lands on the opposite side of the road from the development site, within the UCD campus.

2.5 As outlined below, the site has an extensive planning history relating to its proposed redevelopment for residential use, however, no significant issues were ever expressed in respect to the proposal to demolish the existing buildings on site.

Figure 1: Annotated satellite imagery showing the site boundary (approximate in red) and existing buildings to be demolished (Source: DBFL Structural Inspection of Existing Buildings

Figure 2: Internal Photograph of Existing Industrial Building (Source: DBFL Structural Inspection of Existing Buildings)

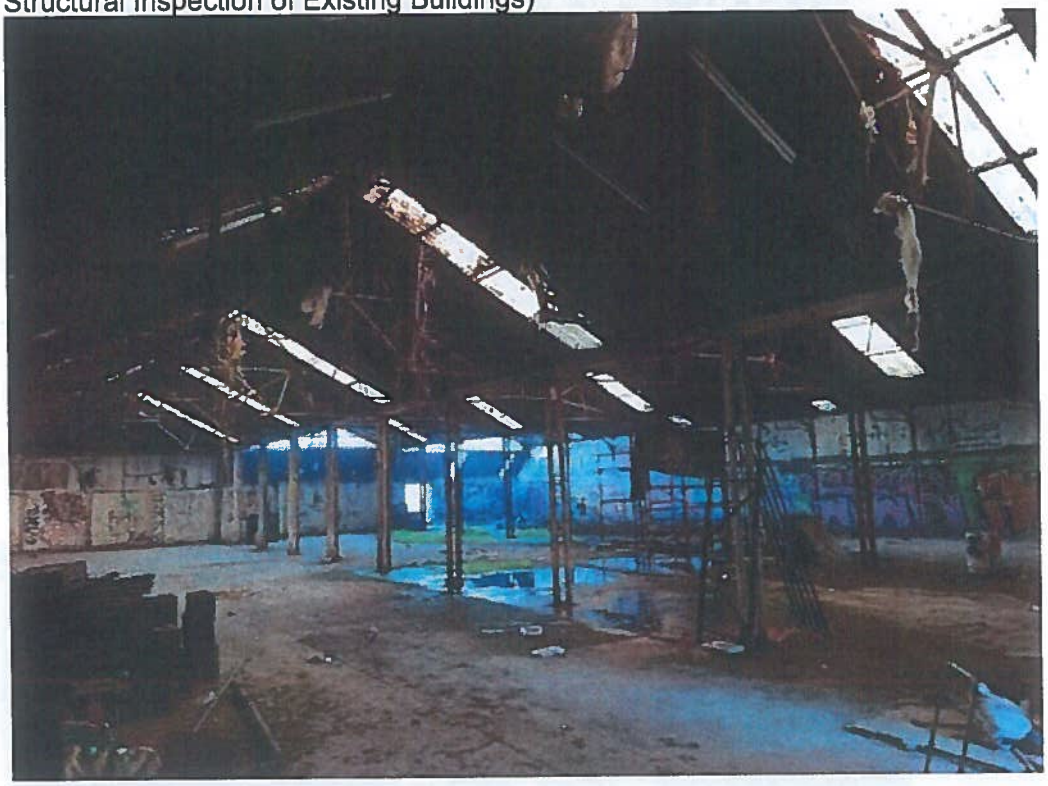


Figure 3: No. 24 Foster's Avenue (Source: DBFL Structural Inspection of Existing Buildings)

Figure 4: No. 28 Foster's Avenue (Source: DBFL Structural Inspection of Existing Buildings)

3.0 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 The proposed development relates to the demolition of the existing buildings on the site consisting of a vacant industrial building and 2 no. dwellings, No. 24 Foster's Avenue (Glenville) and No. 28 Foster's Avenue (Sunnyside), removal of front boundary wall (including associated gates and piers), and all associated site works.

3.2 We refer to the architectural drawings prepared by OMP Architects identifying the buildings to be demolished. The cumulative gross floor area of the buildings on site is 3,657 sq.m, which can be broken down as follows:

- No. 24 (dwelling)= 362 sqm (over 3 floors)
- No. 26 (industrial)= 3,135 sqm
- No. 28 (dwelling)= 125 sqm + 35 sqm (garage 15 sq.m and outhouse 20 sq.m)

3.3 In order to justify the proposed demolition of existing buildings on site, in advance of an application for the redevelopment of the site for residential use, the following reports were prepared and submitted with the application to address the key planning issues relating to the proposed demolition:

- Structural Inspection of Existing Buildings Report prepared by DBFL Consulting Engineers, which demonstrates that the buildings are unsafe and present a health and safety concern;
- Outline Demolition Management Plan prepared by Park Developments to demonstrate how the demolition of buildings would be undertaken, which in turn has informed the tree removal and protection proposals;

- Demolition Waste Management Plan prepared by AWN Consulting which demonstrates how the management of demolition waste will be undertaken in accordance with current legal and industry standards.
- A Landscape and Arboricultural Statement (including appended Tree Survey Report prepared by Arborist Associates), Tree Survey and Tree Protection and Removal Plan, Tree Constraints Plan prepared by Brady Shipman Martin, which demonstrates that no significant or important trees are planned for removal as part of the demolition application;
- A Bat Impact Assessment prepared by Bat Eco Services and an Ecological (Biodiversity) Appraisal Report prepared by BSM, which demonstrates that appropriate mitigation measures are proposed / incorporated into the demolition application to ensure no adverse impacts on bats or other adverse ecological impacts arise.
- An AA Screening Report prepared by BSM to demonstrate that the proposals do not have the potential to impact on Natura 2000 sites.

3.4 A Further Information Request was issued by DLRCC on the 30th July 2020, and in response to the FI Items a revised Bat Assessment, a Derogation Licence, a Revised Ecological (Biodiversity) Appraisal and Information for Screening for Appropriate Assessment, an Outline Demolition Plan and a revised Structural Inspection of Existing Buildings report were submitted to DLRCC on the 6th October 2020, with subsequent public notices submitted on the 9th October 2020 following a request by the Planning Authority.

3.5 Following the submission of the Further Information response, DLRCC issued a notification of decision to grant planning permission on the 4th November 2020, subject to 12 no. conditions.

4.0 RELEVANT PLANNING HISTORY

4.1 The following is a summary of the most recent applications on the subject site, with a more detailed review of the full planning history of the subject site provided in Appendix 1 of the Cover Letter submitted with the application.

Reg. Ref.: D20A/0670

4.2 A planning application was submitted to DLRCC for the residential development of the site, including demolition as the subject application was still under consideration, on the 21st September 2020.

4.3 The proposed development relates to the demolition of the existing buildings on site and construction of 72 no. apartments (10 no. 1 beds, 60 no. 2 beds and 2 no. 3 beds) in three no. buildings of part one to part four storeys in height, over basement. The proposals include a single storey communal amenity building, and private, and communal open space. The proposal contains 85 no. car parking spaces and 135 no. cycle spaces at basement level, with 2 no. set down car parking spaces and 36 no. cycle spaces at surface level, and associated vehicular, pedestrian and servicing access from Foster's Avenue. The proposal includes double ESB substation and switchroom, landscaping, boundary treatment, street lighting, PV panels to apartment building roofs and all associated site works and services.

4.4 A Request for Further Information was issued by DLRCC on 12th November 2020 and a response to the FI Request is currently being prepared with the aim of lodging the FI response early in 2021. It should be noted that the FI items raised do no relate

to the demolition of the buildings, and the Planner's Report confirms the demolition of the existing buildings is acceptable, with the following extracts noted:

"Permission is sought for the demolition of existing buildings on site, namely a vacant industrial building and 2 no. residential properties (nos, 24 and 28 Fosters Avenue). Permission was granted recently for a separate application that also sought the demolition of existing buildings (Ref. D20A/0406). Demolition of buildings was also sought in the previous SHD Application in which, although permission was ultimately refused, no issues were raised by the Planning Authority or the Board in relation to the demolition element.

An issue has been raised in some of the submissions received in relation to the architectural value of no. 24 and its potential inclusion in the record of Protected Structures. As noted in the assessment of the application for demolition, the property is not included in the National Inventory of Architectural Heritage. In the context of this application a query was raised by the Conservation Officer in this regard for clarity purposes. The Conservation Officer confirmed that while a number of additions to the Record of Protected Structures will be proposed in the next months in the context of the preparation of the new Development Plan, all of the candidates feature in the NIAH report, where No. 24 Fosters Avenue is not included.

In conclusion the proposed demolition of existing buildings is acceptable. It is recommended that the relevant conditions attached to D20A/0406 also be included in the event of a grant of permission for the subject development. Regard is had to the Applicant's statement contained in the Planning Report that whilst at the time of lodging the subject application a Decision on the FI for D20A/0406 had not been made the documents prepared in response to the FI Items have also been incorporated to the subject application."

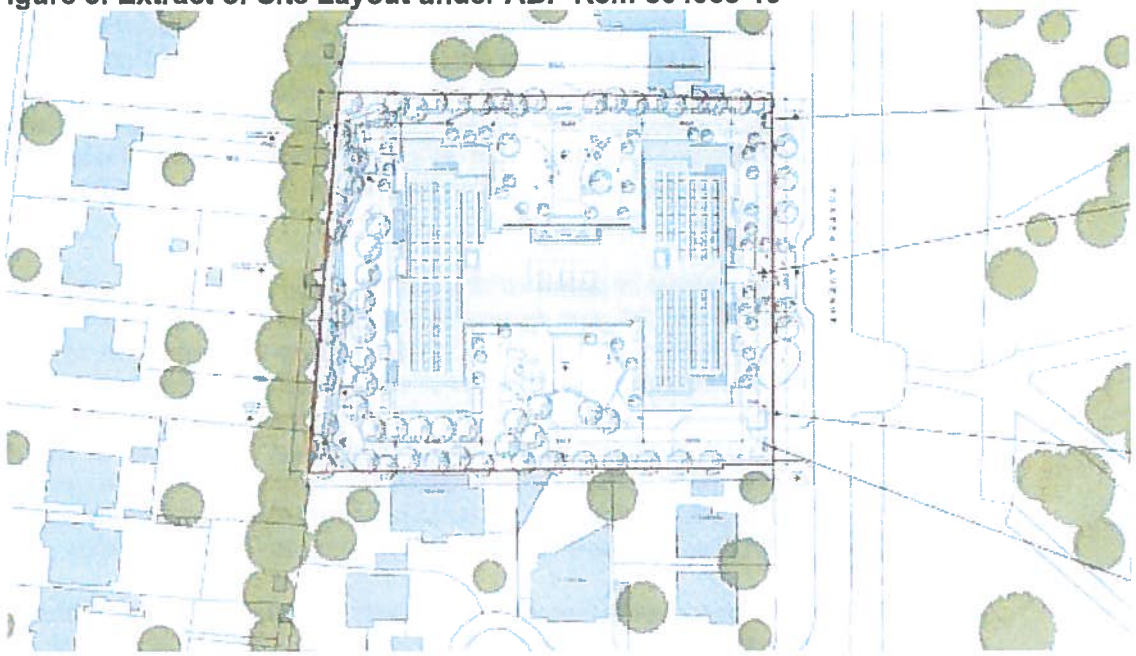
SHD Application ABP Ref.: 304063-19

4.5 An SHD application was previously submitted for the redevelopment of the subject site. An Bord Pleanála refused permission for two no. reasons for development described as follows in the public notices which accompanied the application:

- Demolition of the existing buildings on site consisting of vacant industrial buildings and a 2-storey residential dwelling 'Sunnyside';
- Construction of a part 4-storey and part 5-storey over basement apartment development with a setback at 4th floor;
- The development will have a total of 123 no. residential units, consisting of 53 no. 1-bed units and 70 no. 2-bed units with associated balconies;
- Basement level car parking for 71 no. cars, 10 no. motorcycles and 244 bicycles;
- A further 2 no. car parking spaces will be provided at ground level for visitors and 32 no. additional bicycle spaces will also be provided at ground level (22 no. internally and 10 no. externally);
- Provision of communal facilities including a cinema and laundry facilities in the basement, a lobby, communal amenity area and gym on the ground floor, an amenity room on the fourth floor along with three guest bedrooms located on the second, third and fourth floors;
- Vehicular and pedestrian entrances from Foster's Avenue;
- Bin stores, landscaping, boundary treatments and all associated site works and services.

4.6 An extract of the site layout plan is included as Figure 5 below.

Figure 5: Extract of Site Layout under ABP Ref.: 304063-19



4.7 The Board issued a decision to refuse permission for two no. reasons which read as follows:

1. *Having regard to the design, scale, bulk and height of the development, to its proximity to site boundaries and to the proposed removal of trees at the development site, it is considered that the proposed scheme would be overbearing when viewed from adjacent residential properties and would seriously injure the residential amenities of adjoining properties through undue levels of overlooking, overshadowing and noise impacts.*

   In addition, the development would have an adverse visual impact on Fosters Avenue due to its bulk and scale in close proximity to the road in advance of the established building line to the west of the site, and to the extensive nature of the façade at the road frontage. The proposed development would be contrary the National Planning Framework and Ministerial Guidelines, which promote innovative and qualitative design solutions and would seriously injure the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. *The Bat Survey Report indicates that there are three bat species present at the development site, that is the Soprano Pipistrelle, Common Pipistrelle and Leisler's Bat, which are all protected under the European Communities (Birds and Natural Habitats) Regulations 2011 and the Wildlife Act 1976 (as amended).*

   It is considered that the proposed development would have a significant adverse impact on the bat species present at the site due to the removal of existing trees that provide connectivity and foraging habitat and to potential light spillage from the apartment building and the public lighting serving the development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4.8 Notwithstanding the above reasons for refusal, the Board's and Planning Authority's assessment of the SHD application acknowledged the appropriateness of demolishing the existing buildings on site and the site's suitability for higher density development given its location within the built-up area of Dun Laoghaire Rathdown and proximity to a high quality public transport corridor. However, the assessments indicated that this must be balanced against the protection of residential amenity, a redevelopment which responds to the character of the area and which retains key site features, such as existing trees, which in turn would help to address the impacts on bats.

4.9 The submitted ecology and bat assessment reports accompanying the demolition application demonstrate the range of mitigation measures proposed to ensure the current proposals do not have an adverse impact on bats, thereby addressing the Board's second reason for refusal.

5.0 RESPONSE TO GROUNDS OF APPEAL

5.1 As noted above, 11 no. appeals were lodged in response to the Planning Authority's notification of decision to grant permission. The following summarises the key points raised in the third party appeals and provides a response to each with reference to other application documentation which the Board will have on file, in addition to supplementary information included as appendices to this appeal response.

5.2 The issues raised in the third party appeals can be summarised under the following headings:

- Planning permission is premature
- Insufficient particulars in relation to asbestos
- Destruction of bat roosts and compliance with the Habitats Directive
- Environmental Impact Assessment / Project Splitting
- Demolition of habitable houses contrary to the Development Plan
- Protection of the residential amenity of the local area
- Boundary treatment concerns

5.3 These issues are addressed under each heading below.

Planning Permission is Premature

5.4 A number of appeals raise concerns that the application is premature as the planning application for the overall development of the site (Reg. Ref.: D20A/0607) is still under consideration by DLRCC and there is no linkage between the demolition application and the future development of the site, there is pressure to accept the future development and potential for the site to remain vacant pending a successful planning application for redevelopment of the site.

5.5 In response to the concerns raised, we refer to the application Cover Letter prepared by John Spain Associates accompanying the application. This explains that it was considered necessary and appropriate to bring forward the demolition application to address health and safety concerns with the existing buildings on site and to allow for the timely and orderly undertaking of the demolition and tree removal to ensure that the works can be undertaken at an optimal time to minimise impacts on bats.

5.6 The applicant has ensured that the proposed demolition of existing buildings is not premature pending the overall development proposal and has provided a

comprehensive response to managing demolition impacts including the likely loss of trees and adequate mitigation measures to minimise the impacts on wildlife, in particular bats.

5.7 The proposed demolition is supported by an Arboricultural Assessment in accordance with Policy OSR7 'Trees and Woodland' and Section 8.2.8.6 of the County Development Plan. As confirmed in the Landscape and Arboricultural Statement, the proposals only remove those trees necessary to facilitate the proposed demolition, with the majority of trees retained and protected as required. No significant or important trees are planned for removal as part of this demolition application. The removal of trees solely relating to that required to facilitate the proposed demolition, i.e. the application does not seek to pre-empt future tree removal requirements associated with the separate residential application.

5.8 Furthermore, in accordance with Policy LHB23 'Non-Designated Areas of Biodiversity Importance', and Section 8.2.71 of the CDP in relation to Biodiversity, as set out above, the proposed demolition application is supported by an Ecological (Biodiversity) Appraisal and a Bat Assessment with appropriate mitigation proposed, to ensure the impact on biodiversity is minimised. In accordance with Section 4.1.12 of the CDP, an Appropriate Assessment Screening Report is also submitted to ensure there are no likely significant effects on the integrity of any Natura 2000 sites as a result of the proposed demolition.

5.9 A derogation licence has been issued by the NPWS, which was submitted with the FI response to the Planning Authority, and appropriate mitigation measures have been identified for the demolition phase. In particular, there is a brief window to undertake the necessary demolition works of the existing buildings and tree felling in accordance with the identified appropriate mitigation measures required to minimise impacts on bats, with demolition and felling to take place in the autumn or spring after the erection of alternative roosts. Thus, the applicant could be significantly delayed in undertaking demolition works if it is tied to the decision on the residential application, which is likely to go through a more lengthy planning process having regard to the planning history of the lands.

5.10 The existing buildings on the subject site are vacant and in a semi-derelict state. At present these structures detract from the appearance of the area and have an adverse impact on the residential amenity of adjacent properties. Their removal will allow for the clearance and making safe of the site in advance of its redevelopment, currently subject to a separate planning application (Reg. Ref.: D20A/0670).

5.11 Prior to the submission of the residential application (Reg. Ref.: D20A/0670), Strand Court Limited, wrote to immediate neighbours to the site to provide further information on the proposals for the redevelopment of the site (copy attached as Appendix 4 for the Board's information). This included the above reasons for progressing the demolition application in advance of the full application for the site, in addition to providing an update on the residential proposals for the site. In particular, outlining the proposals to redevelop the site as a high quality apartment development, with the new revised scheme representing a fundamental rethink of the design approach when compared to the previous SHD application in order to create a development more appropriate and sensitive to its setting and existing neighbours.

Insufficient particulars in relation to asbestos

5.12 It is noted that the appeal on behalf of Robert Hussey raises concerns that there was insufficient information regarding the asbestos containing materials on site, and that the report by Phoenix Environmental Safety Limited referred to in the Demolition Waste Management Plan was not provided as part of the application. This issue was also raised by a number of other appeals, in addition to concerns that some asbestos containing materials (ACM) had already been removed from the site.

5.13 As noted in the appeals, Section 3.3.2 of the Demolition Waste Management Plan (DWMP) refers to the Demolition Asbestos Survey undertaken on site by Phoenix Environmental Safety Ltd in February 2020. The DWMP notes that asbestos containing materials (ACMs) will only be removed from site by a suitably permitted/licensed waste contractor, and all material will be taken to a suitably licensed or permitted facility.

5.14 Asbestos removal was also addressed in the Outline Demolition Plan submitted with the application, which noted that "*Before the demolition work commences, a suitably trained and competent asbestos removal contractor will be appointed by the Client/PSDP. All asbestos removal works will be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010.*"

5.15 This information was considered sufficient to inform the application, and no additional information in this regard was requested by the Planning Authority as part of the Further Information Request. Asbestos removal works are subject to strict controls, as noted in the DWMP and Outline Demolition Plan and this was clearly identified as part of the application.

5.16 Notwithstanding this, to provide further information on the matter we refer to the response and Preliminary Demolition Management Statement (DMP) provided by DBFL Consulting, included as Appendix 5. This provides further information relating to the asbestos removal works and includes the Asbestos Survey Report prepared by Phoenix Environmental Safety Ltd.

5.17 In terms of the reference in the DWMP that some of the ACMs were subsequently removed by a competent contractor, this relates to the sampling programme undertaken as part of the survey to identify possible ACM's and estimates of the volumes and the surface areas of ACM made. The Asbestos Survey Report includes a series of data sheets prepared to provide assessments and recommendations for each of the locations where samples were taken.

5.18 In terms of the reference to the internal report from the Environmental Section, it should be noted this does not raise any specific concerns regarding the lack of information regarding asbestos removal. It is acknowledged that this recommends a detailed Demolition Waste Management Plan should be submitted prior to commencement of site works, and as part of this it continues that it should include an Asbestos Hazardous Waste Management Plan. As noted in the Preliminary DMP prepared by DBFL Consulting, this detailed Demolition Waste Management Plan will be completed prior to the works commencing on site.

Destruction of Bat Roosts and Compliance with the Habitats Directive

5.19 The appeal on behalf of Robert Hussey argues that the proposal is deficient in providing an assessment of effects on species listed in Annex IV of the Habitats

Directive before planning permission is granted, and that the derogation licence is invalid and/or does not offer a derogation for the proposed works.

5.20 Furthermore, it is noted that the appeal by Jean Cooper and others raise concerns that relevant guidelines have not been followed, and that bat roosts should be replaced on a like for like basis with no destruction of former roosts until replacement is completed and usage demonstrated with monitoring for at least two years

5.21 As part of the application a Bat Assessment was submitted which fully assessed the impact on bats. In response to the Further Information Request, the Bat Assessment was updated to include additional mitigation measures during the demolition works, with input from the bat specialist, details of monitoring and reporting by the bat specialist, and additional information on the course of works to be undertaken should a bat be encountered during the demolition works.

5.22 In response to FI Item No. 1, the Bat Assessment prepared for the demolition application was submitted to the NPWS Wildlife Licensing Unit on 16th September 2020 and a Derogation Licence was granted by NPWS on 28th September 2020. This confirms that the NPWS are satisfied with the proposed mitigation measures for bats.

5.23 A copy of the Derogation Licence was submitted with the FI response and Condition No. 4 of the Licence relates to the mitigation measures outlined in the Bat Assessment report, stating that "*The mitigation measures outlined in the application report (Bat Assessment prepared for Proposed Demolition Application, pgs. 43-46), together with any changes or clarification agreed in correspondence between NPWS and the agent or applicant, are to be carried out. Strict adherence must be paid to all the proposed measures in the application.*"

5.24 The mitigation measures from the Bat Assessment (as submitted as part of the FI Response) and the conditions from the Derogation Licence were also reflected in the Outline Demolition Plan submitted as part of the FI Response for the application.

5.25 In terms of the specific points raised in the appeal by Robert Hussey, we refer to the response provided by Bat Eco Services included as Appendix 6 of this response, which provides a detailed response to this ground of appeal. In summary, this confirms the following:

- The information in Table 4 of the Bat Assessment follows the guidance set down in Collins, 2016;
- The tree assessment was undertaken, taking into consideration, Irish bat species roosting preferences in consultation with the document BTHK, 2018. All trees presented within the survey site were examined for such roosting features and results presented in the bat survey report. In terms of the appeal reference to Cordyline Australis, the response notes that this tree species is native to New Zealand and not Ireland;
- As noted, a large volume of survey work was undertaken for the bat survey to allow an assessment of potential impacts of the proposed works, which allowed for Bat Eco Services classify the roost status and therefore the potential impacts with reference to Kelleher & Marnell, 2006. The provision of bat boxes is deemed suitable, and the bat boxes will be located to ensure that they are available for local bat populations during the demolition works

and thereafter. In addition, timing constraints in relation to demolition works and the provision of monitoring are provided as extra measures.

- The NPWS Derogation Licence is valid and is based on an appropriate bat survey assessment report undertaken by a qualified ecologist to identify where disturbance to an Annex IV species may exist. The application for the NPWS Derogation Licence to permit the demolition works included all information relating to both applications in order to allow NPWS to make an informed decision. The application provided details with regards to timing, procedure and bat specialist supervision before and during demolition, including surveying recommendations.

- In respect to the legal status of the Derogation Licence, we note that the High Court has recently confirmed in Highland Residents Association & Anor. v An Bord Pleanála [2020] IEHC 622 that a grant of planning permission does not obviate the need to comply with the requirements of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477 of 2011). The derogation licence which has been sought in this case was granted on the 28.09.20 and is valid between 01.10.20 and 01.10.22. The derogation licence is permissible under the 2011 Regulations which in turn transpose Article 16 of the Habitats Directive. As the derogation licence has not been challenged, the applicant for permission is entitled to rely on it and the Board is entitled to have regard to it.

5.26 In relation to the matters raised in the appeals by Jean Cooper and others, the response by Bat Eco Services also confirms the following:

- Three years of bat survey work was undertaken and considered in the design process with extensive consultation across the multi-disciplinary design team. Therefore, the assessment procedure meets the recommendations of Kelleher & Marnell, 2006.

- In terms of the suggestion that the bat roosts identified should be replaced on a like for like basis and monitored for 2 years., this requirement, according to Figure 21 of Kelleher & Marnell, 2006 is a requirement for maternity roosts for rarer bats species. A large volume of survey work was undertaken for this bat survey to allow an assessment of the potential impacts of proposed works. Such survey results allowed the author to classify the roost status and therefore the potential impacts with reference to Kelleher & Marnell, 2006. As a consequence, the mitigation measures were designed relative to the roost status. A day roost for an individual brown long-eared bat and night roosts for individual common and soprano pipistrelles were identified. Therefore, the provision of bat boxes is deemed suitable. The bat boxes selected are suitable for the named bat species. In addition, timing constraints in relation to demolition works and the provision of monitoring are provided as extra measures.

Environmental Impact Assessment / Project Splitting

5.27 The appeal by Robert Hussey, and others, raises concern that the application results in project splitting, and the application should be subject to EIA Screening.

5.28 The application does not result in project splitting as the development does not require the submission of an EIAR. As outlined in the application documents, the demolition application was brought forward to address health and safety concerns

with the existing buildings on site and to allow for the timely and orderly undertaking of the demolition and tree removal to ensure that the works can be undertaken at an optimal time to minimise impacts on bats.

5.29 In terms of the reference in Mr Hussey's appeal that an Environmental Impact Assessment is required for this project because it cannot be carried out without the destruction of bat roosts, which results in a significant environmental impact, it is respectfully submitted that this is not the case. Whilst it is acknowledged that Article 3 of the EIA Directive states that EIA should consider inter alia, biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC. It does not follow that just because there is a potential impact on bats there is a need for EIA. The matters relating to bats are addressed above, and in particular, the Bat Assessment concludes that a number of mitigation measures have been provided to reduce impact on bats during demolition of the buildings and removal of trees, and therefore the proposed demolition will have a minor negative impact on local bat populations and accordingly it could not be reasonably concluded that a sub-threshold EIAR was required in this instance.

5.30 In relation to the asbestos related concerns, as noted above, it is considered that sufficient information has been provided as part of the application and supplemented by this appeal response.

5.31 The Planner's Report dated 4th November 2020 states the following in considering the environmental impacts of the scheme:

"Having regard to the nature and scale of the proposed development, in a fully serviced urban location, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and as such a screening determination is not required."

5.32 Furthermore, the application for the residential development (Reg. Ref.: D20A/0670) continues to include demolition works as part of that application as the application the subject of this appeal is still under consideration, and all reports submitted with that application for demolition and residential development include an in combination / cumulative assessment of the proposed development. An EIA Screening Report was submitted with that application, and fully assesses the cumulative impacts of both the demolition works and the residential development. Therefore, there is no gap in the EIA Screening.

5.33 Notwithstanding the above, Appendix 7 of this response provides a preliminary EIA Screening to assist the Board with screening the proposals for EIA. In summary, the proposed development does not fall within the mandatory requirements for EIA as set out in the Planning and Development Act 2000, as amended, and Schedule 5 Part 1 of the Planning and Development Regulations 2001- 2020 (the Regulations), therefore an EIA is not required.

5.34 It is acknowledged that the proposed development does not come within one or more of the classes of project listed in Schedule 5 Part 2 of the Regulations, and therefore the purpose of Appendix 7 is to set out the information necessary to enable the Board to carry out a screening for EIA. This concludes that an EIA is not required for the following reasons:

- The proposed development does not come within any class of project for which EIA is required under Schedule 5 Part 1 of the Regulations

- The proposed development is significantly below threshold for any of the potentially applicable classes of project under Schedule 5 Part 2
- As the information submitted with this application demonstrates, there is no likelihood of any significant effect on the environment arising from the proposed development, having regard to the criteria set out in Schedule 7, and therefore Schedule 5 Part 2 class 14 and class 15 are not applicable.

Demolition of habitable houses contrary to Development Plan

5.35 A number of the appeals raise concerns in relation to the demolition of habitable houses, including that the houses should not be demolished having regard to national policy on existing dwelling stock, that the units could be brought back into use and require further structural investigation to justify demolition, and that the units are of architectural merit or historic heritage.

5.36 It is noted that Section 8.2.3.4 (ix) of the CDP relates to additional accommodation in existing built up areas and demolition and replacement of existing dwellings. With specific regard to the demolition considerations, we refer to Section 3 of the Structural Inspection of Existing Buildings prepared by DBFL Consulting Engineers for details of the existing conditions of the buildings and recommendations for the removal of the buildings on site. In summary, the existing buildings on the subject site are vacant and in a semi-derelict state, and they are gone beyond repair due to structural defects. At present these structures detract from the appearance of the area and have an adverse impact on the residential amenity of adjacent properties.

5.37 Demolition of the existing buildings is considered necessary due to their poor condition and to address health and safety concerns if the structures are not removed. It is considered for these reasons, the demolition of the existing buildings, including the 2 no. dwellings, is justified. Their removal will allow for the clearance and making safe of the site in advance of its redevelopment, subject to a separate future planning application. A Demolition Management Plan and Demolition Waste Management Plan, are provided in accordance with Section 8.2.9.7 of the CPD.

5.38 In respect of no. 24 Foster's Avenue, as part of the recent application for the residential development of the site, an Architectural Heritage Assessment prepared by IAC Archaeology has been prepared and assesses the impact, if any, on the architectural heritage resource of the proposed demolition of dwelling. A copy of this report is included as Appendix 8 to this appeal response, and the Assessment concludes that there are no features in relation to the house that would warrant it being retained and nothing that would warrant its protection.

5.39 Furthermore, as noted above, the recent Planner's Report for the residential application (Reg. Ref.: D20A/0670) confirms that no. 24 is not included as a proposed addition to the Record of Protected Structures in the context of the preparation of the new Development Plan.

5.40 It is noted that the appeal on behalf of Robert Hussey makes reference that no. 26 represents an aspect of historic heritage, however no further evidence is provided on this and this was not raised as a concern by the DLRCC Conservation Officer. Therefore, the demolition of the buildings do not represent a material contravention of Section 6.1.3.5 Policy AR5 of the Development Plan.

5.41 As outlined above, no concerns were raised with the principle of demolishing the existing buildings on the site in the Board's assessment of the recent SHD residential application for the site, or the current residential application to DLRCC. This position

is also confirmed by the Planning Authority for the demolition application, with the Planner's Report stating the following:

'Whilst it has been brought to the planning authority's attention that no. 24 Foster's Avenue (Glenville) has recently been put forward as a candidate protected structure, it is noted that the planning authority did not raise any objection regarding the demolition of the structures on site previously, nor did An Bord Pleanala. In addition, the proposed development is not on the NIAH.

For these reasons, it is considered that the existing structures do not contribute significantly to the area in terms of visual amenity, character and/or accommodation type, and having regard to the dilapidated nature of the existing buildings on the subject site, and the potential future development of the overall site, it is considered that the proposed demolition work is considered acceptable subject to all other issues being satisfactory addressed."

Protection of the Residential Amenity of the Local Area

5.42 It is noted the appeals raise concern that there are insufficient details provided for matters to protect the residential amenity of the area during the demolition works, such as traffic management, the estimated length of time for the works, type of machinery, hours or working, noise and dust level and security for the site.

5.43 It is submitted that the residential amenity of nearby properties will be protected through the implementation of standard demolition stage mitigation measures, as per the conditions of the notification of decision to grant permission, including condition 7 which requires a Demolition Management Plan and condition 11 which requires a Detailed Demolition Waste Management Plan.

5.44 Notwithstanding this, the Preliminary Demolition Management Plan (DMP) prepared by DBFL (See Appendix 5) looks to provide further information, in particular outlining the measures to be implemented in relation to Condition 7, including compound facilities, access and traffic management, road cleaning, working hours, noise and vibration, dust control and sediment and water pollution control plan. As noted above, additional information has been provided on asbestos, in addition to confirming the works will strictly adhere to the required bat mitigation measures.

Boundary Treatment

5.45 It is referred to in the appeal by Colm and Dominque Carey that there is no reference in the application as to how specifically the boundary between no. 28 and no. 30 front garden would be treated. Concerns are raised in regard to differences in levels, and security and anti-social behaviour if hoarding is erected around the perimeter of the site, in addition to resultant visual impact on neighbours and Foster's Avenue.

5.46 However, as noted in the Outline Demolition Plan, it is proposed that all existing boundary walls to the east, west and south of the site will be retained, whilst the boundary wall to Foster's Avenue will be demolished and replaced with a 2.4m high painted timber hoarding to secure the site. Hoarding will be erected around the perimeter of the site, where required, during the demolition works, however this will be kept to areas where it is required. As noted in this appeal response, security measures have been put in place on the site currently, and security measures also form part of the Preliminary Demolition Management Plan.

5.47 It is recognised that the garage of no. 28 abuts the garage of no. 30 Foster's Avenue, and as set out in the Outline Demolition Plan (and reaffirmed in the DMP), it is intended that the garage at no. 28 will be carefully demolished to ensure no. 30 is not damaged and any resulting works required to weather the retained garage party wall and roof will then be completed.

5.48 Similarly, for the boundary wall between no. 22 and 24 Foster's Avenue, it is intended that a detailed assessment of the condition of the boundary wall will be undertaken. It is envisaged that the existing openings in the wall will be filled with blockwork and if ongoing monitoring requires any additional propping or strengthening works to stabilise this wall, these measures will be carefully undertaken by the contractor in conjunction with the project structural engineer and temporary works designer as required.

5.49 As confirmed in the response by DBFL and the accompanying DMP, there will be no below ground excavation and no changes in the ground levels. However, as noted, all shared walls and boundaries will be kept intact and supported during and after the demolition works.

Flooding and Water Contamination Risks

5.50 The appeal by D Hayes makes reference to '*excavation, trial puts and CCTV surveys to locate the existence of the Trimleston Stream, however, have not submitted any evidence of this'*. Concern is raised that any excavation and resultant impacts in relation to flooding and water contamination risks has not been addressed.

5.51 The reference to the investigation works to locate the existence of the Trimleston Stream relate to the information submitted as part of the residential application (Reg. Ref.: D20A/0670). It is not relevant to the demolition application as there is no excavation below ground proposed. Section 3.1.5 of the revised Structural Inspection of Existing Buildings prepared by DBFL Consulting Engineers and submitted as part of the FI Response confirms that as there is no requirement for any significant excavation during demolition, as a result any existing infrastructure, both surface water and foul, will remain undisturbed and current drainage pathways intact. We also refer to the accompanying response prepared by DBFL Consulting Engineers and the DMP for further details.

5.52 As set out in the Structural Inspection of Existing Buildings report and confirmed in the Outline Demolition Plan a temporary positive drainage system will be installed prior to the commencement of the works to collect surface water runoff from the site during demolition. This temporary surface water management facility will throttle runoff and allow solids to be settled out and removed before being discharged in a controlled manner to an agreed outfall. After demolition, the site will be left so that surface water runoff will be retained within the site to drain to ground and not flow onto the public road or adjacent properties.

Other Remaining Concerns

5.53 It is noted that the appeal by D & C Carey suggest conditions relating to hours of working, traffic, access and parking. However, these matters are covered sufficiently by the conditions referred to by DLRCC in the notification to grant.

5.54 Reference was also made to misinformation, in particular regarding the planning history, however as noted above, the Cover Letter submitted with the application

provides an overview of the recent planning history associated with the site and the Planning Authority elaborate on this in their assessment of the application.

6.0 SUMMARY AND CONCLUSION

6.1 This response to the third party appeals has sought to comprehensively address all of the issues raised in the 11 no. third party appeals, with reference to the accompanying appendices.

6.2 Demolition of all existing buildings on site is required due to their poor condition, to address health and safety concerns and to allow for the demolition phase and associated tree removal and bat mitigation to take place within the next calendar, in accordance with best practice, and in advance of a grant of permission for the overall residential development of the site (currently subject to a separate application). The accompanying documentation submitted with the application, and as appendices to this response, sets out that the buildings are in an advanced state of disrepair. It is considered that the removal will allow for the clearing of the site to make way for a new high quality development in an orderly manner.

6.3 The applicant has ensured that the proposed demolition of existing buildings is not premature pending the overall development proposal and has provided a comprehensive response to managing demolition impacts including the likely loss of trees and adequate mitigation measures of impacts on wildlife.

6.4 Asbestos removal was addressed in the Demolition Waste Management Plan and the Outline Demolition Plan. This information was considered sufficient to inform the application, and no additional information in this regard was requested by the Planning Authority as part of the Further Information Request. Notwithstanding this, to provide further information on the matter we refer to the response and Preliminary Demolition Management Statement (DMP) provided by DBFL Consulting, included as Appendix 5. This provides further information relating to the asbestos removing works and includes the Asbestos Survey Report by Phoenix Environmental Safety Ltd.

6.5 This response has demonstrated that the application complies with the Habitats Directive. As part of the application a Bat Assessment was submitted fully assessing the impact on bats. In response to the Further Information Request, the Bat Assessment was updated to include additional mitigation measures for during the demolition works. A Derogation Licence was granted by NPWS on the 28th September 2020. This Derogation Licence is valid and is based on an appropriate bat survey assessment report undertaken by a qualified ecologist to identify where disturbance to an Annex IV species may exist.

6.6 The application does not result in project splitting. As outlined in the application documents, the demolition application was brought forward to address health and safety concerns with the existing buildings on site and to allow for the timely and orderly undertaking of the demolition and tree removal to ensure that the works can be undertaken at an optimal time to minimise impacts on bats. Notwithstanding the above, Appendix 7 of this response provides a preliminary EIA Screening Statement to assist the Board with screening the proposals for EIA. This concludes that an EIA is not required for the following reasons:

- The proposed development does not come within any class of project for which EIA is required under Schedule 5 Part 1 of the Regulations

- The proposed development is significantly below threshold for any of the potentially applicable classes of project under Schedule 5 Part 2
- As the information submitted with this application demonstrates, there is no likelihood of any significant effect on the environment arising from the proposed development, having regard to the criteria set out in Schedule 7, and therefore Schedule 5 Part 2 class 14 and class 15 are not applicable.

6.7 The demolition of the existing units, including the dwellings is considered justified in the context of the CDP. In respect of no. 24 Foster's Avenue, the Architectural Heritage Assessment prepared by IAC Archaeology (included as Appendix 8) concludes that there are no features in relation to the house that would warrant it being retained and nothing that would warrant its protection. It has also been confirmed by the Planning Authority that no. 24 is not included as a proposed addition to the Record of Protected Structures in the context of the prepared of the new Development Plan. Furthermore, no concerns were raised with the principle of demolishing the existing buildings on the site in the current residential application for the site, or the recent SHD application. This position is also confirmed by the Planning Authority for the demolition application.

6.8 The residential amenity of nearby properties will be adequately protected through the implementation of standard demolition stage mitigation measures, as per the conditions of the notification of decision to grant permission. Notwithstanding this, the Preliminary Demolition Management Plan (DMP) prepared by DBFL (See Appendix 5) looks to provide further information, in particular outlining the measures to be implemented during the demolition works and the protection of boundary treatment.

6.9 In relation to flooding and water contamination concerns, there is no requirement for any significant excavation during demolition, as a result any existing infrastructure, both surface water and foul, will remain undisturbed and current drainage pathways intact. A temporary positive drainage system will be installed prior to the commencement of the works to collect surface water runoff by the site during the demolition. After demolition, the site will be left so that surface water runoff will be retained within the site to drain to ground and not flow onto the public road or adjacent properties.

6.10 It is respectfully submitted that this appeal response has addressed all issues raised in the third party appeals and justifies the proposed demolition in the context of the Dun Laoghaire Rathdown County Development Plan 2016-2022.

6.11 Having regard to the above, it is respectfully submitted that planning permission be granted for the proposed development.

Yours faithfully,

John Spain Associates

Enclosures

Appendix 1- ABP Correspondence 27th November 2020
Appendix 2- ABP Correspondence 2nd December 2020
Appendix 3- DLRCC Notification of decision to grant planning permission

Appendix 4- Park Developments Typical Letter to Neighbours
Appendix 5- DBFL Response and Preliminary Demolition Management Plan
Appendix 6- Response by Bat Eco Services
Appendix 7- EIA Screening Statement
Appendix 8- Architectural Heritage Assessment prepared by IAC Archaeology

APPENDIX 1 – ABP CORRESPONDENCE 27TH NOVEMBER 2020

Our Case Number: ABP-308770-20

Planning Authority Reference Number: D20A/0406

Your Reference: Strand Court Limited

An Bord Pleanála

John Spain Associates
39 Fitzwilliam Place
Dublin 2
D02 ND61

RECEIVED
30 NOV

Date: 27 November 2020

Re: Demolition of vacant industrial building and 2 dwellings.
Site at No's, 24, 26 and 28, Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Acts 2000 to 2018.

As a party to the appeal under section 129 of the Planning and Development Act, 2000, (as amended), you may make submissions or observations in writing to the Board within **a period of 4 weeks** beginning on the date of this letter.

Please note that in accordance with section 251 of the Planning and Development Act, 2000, (as amended), the period beginning on 24th December and ending on 1st January, both dates inclusive, should be disregarded for the purposes of calculating the last date for lodgement of submissions or observations.

Any submissions or observations received by the Board outside of that period shall not be considered and where none have been validly received, the Board may determine the appeal without further notice to you.

Please quote the above appeal reference number in any further correspondence.

Yours faithfully,

pp: Liam Halpin
Amanda Merry
Administrative Assistant
Direct Line: 01-8737183

BP05 - Xmas

Tell	**Tel**	(01) 858 8100
Glao Áitiúil	**LoCall**	1890 275 175
Facs	**Fax**	(01) 872 2684
Láithreán Gréasáin	**Website**	www.pleanala.ie
Ríomhphost	**Email**	bord@pleanala.ie

64 Sráid Maoilbhride
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

APPENDIX 2 – ABP CORRESPONDENCE 2ND DECEMBER 2020

Our Case Number: ABP-308770-20

Planning Authority Reference Number: D20A/0406

Your Reference: Strand Court Limited

An Bord Pleanála

John Spain Associates
39 Fitzwilliam Place
Dublin 2
Co. Dublin

Date: 02 December 2020

Re: Demolition of vacant industrial building and 2 dwellings.
Site at No's, 24, 26 and 28, Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin

Dear Sir / Madam,

Enclosed is a copy of further appeals under the Planning and Development Act, 2000, (as amended).

As you are aware, the planning authority's decision in the matter is already the subject of an appeal to the Board. Under section 129 of the Planning and Development Act, 2000, (as amended), as a party to the appeal you may make submissions or observations in relation to the enclosed appeal(s) in writing to the Board within 4 weeks beginning on the date of this letter.

Please note that in accordance with section 251 of the Planning and Development Act, 2000, (as amended), the period beginning on 24th December and ending on 1st January, both dates inclusive, should be disregarded for the purposes of calculating the last date for lodgement of submissions or observations.

Any submissions or observations received by the Board outside of that period shall not be considered and where none have been validly received, the Board may determine the appeal without further notice to you. Please quote the above appeal reference number in any further correspondence.

Yours faithfully,

Amanda Marry
Administrative Assistant
Direct Line: 01-8737183

BP06 - Xmas

Teil	Tel	(01) 858 8100
Glao Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

APPENDIX 3 – DLRCC NOTIFICATION OF DECISION TO GRANT PLANNING PERMISSION

Comhairle Contae County Council

Comhairle Contae Dhún Laoghaire-Ráth an Dúin, Halla an Chontae, Dún Laoghaire, Co. Átha Cliath, Éire. A96 K6C9
Dún Laoghaire-Rathdown County Council, County Hall, Dún Laoghaire, Co. Dublin, Ireland. A96 K6C9
T: 01 205 4700 F: 01 280 6969 www.dlrcoco.ie

John Spain Associates
39, Fitzwilliam Place
Dublin 2
D02 ND61

RECEIVED
05 NOV 2020

04-Nov-2020

NOTIFICATION OF DECISION TO GRANT PERMISSION
Planning & Development Act 2000, as amended

Order Number P/1877/20	**Date of Order** 04-Nov-2020
Register Reference D20A/0406	**Date Received** 12-Jun-2020

Applicant:	Strand Court Limited
Development:	Permission. The proposed development relates to the demolition of the existing buildings on the site consisting of a vacant industrial building and 2 no. dwellings, No. 24 Foster's Avenue (Glenville), and NO. 28 Foster's Avenue (Sunnyside), removal of front boundary wall and all associated site works.
Location:	Site at No's, 24, 26 and 28, Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin
Site Area:	6000sq.m
Time Extension up to and including:	
Additional Info. Requested/Received:	05-Aug-202009-Oct-2020

Dear Sir / Madam

In pursuance of its functions under the above mentioned Act, Dún Laoghaire-Rathdown County Council, being the Planning Authority, did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

For the avoidance of doubt the reasons and recommendations set out in the planners report were generally adopted as set out in the Executive Order, this can be viewed at the Council Offices or the Council website.

Please note that, in accordance with Section 251 of the Planning and Development Act 2000, as amended, "where calculating any appropriate period or other time limit referred to in this Act or in any regulations made under this Act, **the period between the 24th Day of December and the first day of January, both days inclusive, shall be disregarded**".

Comhairle Contae County Council

Comhairle Contae Dhún Laoghaire-Ráth an Dúin, Halla an Chontae, Dún Laoghaire, Co. Átha Cliath, Éire. A96 K6C9
Dún Laoghaire-Rathdown County Council, County Hall, Dún Laoghaire, Co. Dublin, Ireland. A96 K6C9
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Signed on behalf of Dún Laoghaire-Rathdown County Council.

for Senior Executive Officer

First Schedule
Reasons and considerations

Having regard to the provisions of the Dun Laoghaire Rathdown County Development Plan 2016-2022, in addition to the AA and EIAR screening, it is considered that subject to compliance with the conditions set out in the Second Schedule, the proposed development would accord with the stated objective 'To protect and/or improve residential amenity' and would be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening/ Environmental Impact Assessment Screening
The application has been considered in light of the further information and previous AA and EIAR screening. The Planning Authority's previous decision in this respect still stands.

Second Schedule
Conditions

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by Further Information received on the 9th of October 2020, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2 .All mitigation measures relating to Biodiversity, outlined in the Ecological (Biodiversity) Appraisal report, Bat Assessment and Planning Application documents will be implemented.
Reason: To address any potential impacts on Biodiversity.

3. All mitigation measures outlined in the Bat Assessment prepared for Proposed Demolition Application, pgs. 43-46, together with any changes or clarification agreed in correspondence between NPWS and the applicant or their consultants, are to be carried out. Strict adherence must be paid to all the proposed mitigation measures and any conditions associated with the NPWS Licence.
Reason: To mitigate the potential impacts of the proposed development on bats, which are afforded a regime of special protection under the European Habitats Directive.

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4. Within 6 months of the commencement of development, the applicant will submit a report from the bat specialist to the Planning Authority in relation to the mitigation measures and conditions associated with the NPWS Licence, confirming that the demolition has been carried according to the Licence and that the bat specialist is satisfied that all mitigation measures have been implemented for the demolition work and planned tree removal.
Reason: To mitigate the potential impact of the proposed development on bats, which are afforded a regime of special protection under the European Habitats Directive.

5. An Invasive Species Management Plan for the site in relation to three cornered leek and winter heliotrope will be provided to the Planning Authority, at least three weeks prior to site clearance and demolition works.
Reason: To mitigate any potential impact of invasive species as a result of the proposed demolition works.

6. A suitably experienced ecologist will be appointed for the duration of the demolition works project and regular monitoring of all related works will take place to ensure the correct and full implementation of the mitigation measures set out in the Ecological (Biodiversity) Appraisal. A monitoring report will be provided by the ecologist to the Planning Authority confirming that the demolition has been carried according to the monitoring details outlined in the Ecology (Appraisal) report and that the ecologist is satisfied that all mitigation measures have been implemented.
Actions required to be undertaken by the applicant as a result of the recommendations of monitoring will be reported to the planning authority.
Reason: To monitor biodiversity and to undertake any remedies if required.

7. Prior to commencement of the works/demolition, the Applicant/Contractor shall submit a Demolition Management Plan to the Planning Authority (Transportation Planning Section) for written approval indicating measures dealing with:

a. A full and detailed comprehensive Traffic Management Plan, produced by a competent designer, in accordance with Chapter 8 of the Traffic Signs Manual, including demolition vehicular access to site in particular, in order to avoid / minimise conflict between demolition traffic / activities and traffic / road users, particularly pedestrians and cyclists, on Foster's Avenue, Mount Merrion, Blackrock and the adjacent road network, during works.

b. An access route to site for demolition traffic / vehicles to be agreed with DLRCC Traffic Section, Municipal Services Department.

c. How it is intended to avoid conflict between demolition traffic/activities and traffic/road users, particularly pedestrians and cyclists, on Foster's Avenue, Mount Merrion, Blackrock, during construction works.

d. How / where it is intended to provide a site compound including materials separation / storage and demolition staff welfare facilities.

e. Where it is intended to provide for site staff car parking during demolition in that it is not acceptable to have parking on the adjacent/nearby road network/residential areas.

f. How it is intended to provide suitable facilities for vehicle cleansing and wheel washing on site.

g. Proposed measures to minimise /eliminate nuisance caused by noise and dust, proposed working hours and measures to minimize / prevent transfer of dirt to the public road with associated measures to clean the public roads / gully's etc in the vicinity of the site and continuing replacement of roads line markings resulting therefrom.

h. A procedure for dealing with complaints arising from third parties during the demolition process.

This Demolition Management Plan shall also include any necessary updates to site specific details, drawings and specifications of the measures to protect Biodiversity including bats.
Reason: In the interest of pedestrian and traffic safety,to protect Biodiversity during the demolition works and to avoid impact of invasive species.

8. All demolition/waste removal/site vehicles shall enter and exit the site via a single vehicular access on Foster's Avenue, Mount Merrion, Blackrock which shall be the existing double steel gate access to 26, Foster's Avenue, Mount Merrion, Blackrock.
Reason: In the interest of pedestrian and traffic safety.

9. All necessary measures shall be taken by the Applicant and Contractor to avoid conflict between demolition traffic/activities and traffic/road users, particularly pedestrians and cyclists, on Foster's Avenue, Mount Merrion, Blackrock, during demolition works.
Reason: In the interest of pedestrian and traffic safety.

10. The Applicant shall prevent any mud, dirt, debris or demolition material being carried onto or placed on the public road or adjoining property as a result of the site demolition works and repair any damage to the public road arising from carrying out the works.
Reason: In the interest of pedestrian and traffic safety.

11. Prior to commencement of site works, a Detailed Demolition Waste Management Plan together with a detailed 'Environmental Management Demolition Plan' consistent with 'The DLR Guidance Notes for Environmental Management of Construction Projects' shall be submitted to the Planning Authority (Waste Management Section) for thier written approval.
Reason: In the interest of good planning and sustainable development.

Comhairle Contae County Council
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Dún Laoghaire-Rathdown County Council, County Hall, Dún Laoghaire, Co. Dublin, Ireland. A96 K6C9
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12. To ensure full implementation of the proposed landscape and arboriculture report and plan, the developer is required to retain the services of a Landscape Consultant throughout the life of the site development works. A completion certificate is to be signed off by the Landscape Consultant when all works are completed and in line with the submitted original landscape drawings. This completion certificate shall be submitted to the Planning Authority for written agreement upon completion of the works.
Reason: In the interest of amenity.

(1) Submissions / Observations

NOTE: In deciding this planning application, the planning authority, in accordance with Section 34 (3) of the Planning and Development Act 2000, as amended, has had regard to any submissions or observations received, in accordance with the Planning and Development Regulations 2001 to 2012 pertaining to the application.

(2) Removal of Site Notice

NOTE: The applicant is reminded that in accordance with Article 20 of the Planning and Development Regulations 2001 to 2012, any site notice erected or fixed pertaining to this application shall be removed (if not already done so) following receipt of this notification.

Comhairle Contae County Council

Comhairle Contae Dhún Laoghaire-Ráth an Dúin, Halla an Chontae, Dún Laoghaire, Co. Átha Cliath, Éire. A96 K6C9
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FURTHER NOTES

APPEALS

This decision of the Planning Authority does not authorise works to commence and may be appealed to An Bord Pleanala by an Applicant or any person who made submissions or observations in writing in relation to this application to the Planning Authority.

A person who has an interest in adjoining lands in respect of which permission has been granted and who did not make a submission or observation under Section 37(6)(a) of the Planning and Development Act, 2000, as amended may apply to the Board for leave to appeal the decision of the Planning Authority. Appeals should be sent to:

The Secretary,
An Bord Pleanala,
64 Marlborough Street,
Dublin 1.

Tel: 01-8588100

Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start.

The Board must receive an appeal within four weeks, beginning on the date of the decision set out above. A Third Party appeal will be invalid unless accompanied by the prescribed fee and a copy of the acknowledgement of receipt from the Planning Authority in respect of a submission/observation.

GRANT OF PERMISSION

In the case of a notification of a decision to Grant Permission, where no appeal is received by An Bord Pleanala against the decision, a PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the making of an appeal.

REFUND OF FEES – REPEAT PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of 8 weeks beginning on the date of Planning Authority's decision on the second application. Please consult the Planning & Development Regulations, 2001 to 2010, for full details of fees, refunds and exemptions.

APPENDIX 4- PARK DEVELOPMENT TYPICAL LETTER TO NEIGHBOURS

PARK
DEVELOPMENTS

The Herbert Building,
The Park, Carrickmines,
Dublin 18, Ireland. D18 K8Y4.

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Alex & Dolores Wadkin,
36 Foster's Avenue,
Mount Merrion,
Co Dublin,
A94 ER28

31 August 2020

Dear Alex & Dolores,

RE: PROPOSED RESIDENTIAL DEVELOPMENT AT 24-28 FOSTER'S AVENUE, MOUNT MERRION, BLACKROCK, CO. DUBLIN

We, Strand Court Limited (part of the Park Developments Group of companies) are writing to you in relation to the current demolition application and the forthcoming proposed residential development application at 24-28 Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin. Park Developments, acquired the site earlier this year, and we wish to provide you with some information in relation to our proposals for the redevelopment of the site.

Demolition Planning Application (Reg. Ref.: D20A/0406)

We acknowledge the observations submitted by local resident's on the recent demolition application pertaining to the site. The observations stated inter alia that the demolition application was progressed in advance of the full application for the site and expressed concern that there could be a significant delay between demolition and the development of the site. The rationale for proceeding on this basis is set out below.

The demolition application submitted to Dun Laoghaire Rathdown County Council ("DLRCC") sought to demolish two unoccupied dwellings and a vacant industrial building. The buildings are in an advanced state of disrepair and in order to address these concerns we considered it timely to advance the demolition element of the planning as soon as possible. This will also allow for the early removal of the asbestos on site, with all asbestos removal works to be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010.

Furthermore it was considered necessary to advance the demolition application to ensure that a permission was in place in the short term, so that demolition works could be undertaken at an optimal time to minimise the impact on bats, prevent delays on the full redevelopment of the site and address the health and safety concerns.

Proposed Residential Development

Park Developments acquired the property with a view to redeveloping it for a high quality apartment development and to that end we have been progressing a planning application with our design team and DLRCC.

We can confirm that we will be proceeding with the submission of a standard planning application to DLRCC in September 2020. The proposed development (see Figure 1) will provide for the construction of 72 apartments in three buildings ranging from one to four storeys in height, over an underground carpark. The development will also include landscaped courtyard spaces, a single storey communal amenity building along with tree retention and boundary works.

The proposed application seeks to comprehensively respond to the recent decision by An Bord Pleanála to refuse permission for a Strategic Housing Development (SHD) application on the subject site, under ABP Ref.: 304063-19, for a five storey building containing 123 no. Build to Rent (PRS)

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Figure 1: Rendered View of Proposed Development

The new revised scheme represents a fundamental re-think of the design approach which seeks to create a development more appropriate and sensitive to its setting and existing neighbours. The revised design has developed through a series of pre-application discussions with DLRCC and takes into account the issues raised in third-party observations on the previous scheme and on the recent demolition application.

The revised design has regard to the amenity of adjacent residential properties, and also provides for much greater retention of existing trees on site, thereby mitigating potential impacts on bat species, the character of the area and the local community.

The current proposals being prepared by Park Developments seeks to deliver a high quality development of an appropriate scale and density which is sensitive to existing surrounding properties which will be a positive addition to the housing offer within the locality. We are required to comply with National Planning Policy which seeks to increase densities in locations adjacent to public transport corridors, such as Fosters Avenue.

We look forward to working with you as our new neighbour, and should you have any queries, please do not hesitate to contact us.

Yours faithfully,

Seán O'Neill
Managing Director

APPENDIX 5 – DBFL RESPONSE AND PRELIMINARY DEMOLITION MANAGEMENT PLAN

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21st December 2020

The Secretary
An Bord Pleanala
64 Marlborough Street
Dublin 1

RE: Response to 11no. third party appeals lodges in respect of a planning application in respect of the proposed demolition of all existing buildings at 24, 26 and 28 Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin.
(DLRCC Reg Ref.: D20A/0406)
(ABP Ref.: ABP-308770-20)

Dear sir/madam,

In response to the 11no. third party appeals received relating to the notification of decision to grant planning permission (dated 4th November 2020) for the above referenced development from Dun Laoghaire Rathdown County Council, we would have the following comments:

1) Insufficient Particulars in Relation to Asbestos

Please see Proposed Demolition Management Plan - Chapter 12 for further details on the identification and removal of asbestos during demolition works.

2) Bats & Biodiversity

Please refer to the Proposed Demolition Management Plan – Chapter 9 for details of the Derogation Licence and Conditions as well as Bat Mitigation Measures.

3) Insufficient Detail on the Proposed Demolition Works

Please see Proposed Demolition Management Plan produced by DFBL and Traffic Management Plan produced by CHM in response to the notification to grant permission – Condition 7.

4) Effects of Demolition on Surrounding dwellings

Please refer to the Proposed Demolition Management Plan – Chapter 2 Proposed Works, details can be found here on retention of the existing site boundaries. As noted, there is to be no below ground excavation during the demolition works.

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5) Effects of Demolition on Surface Water Run-off

Please refer to the Proposed Demolition Management Plan – Chapter 8 Sediment and Water Pollution Control Plan. The result of the proposed demolition having no negative effects on the surface water run-off from the site is laid out in this chapter. It also illustrates the measures proposed to prevent any contamination of the groundwater in the area.

We anticipate that the above satisfies the engineering issues raised by this appeal.

Yours faithfully,

Laura McLoughlin
Senior Civil Engineer
DBFL CONSULTING ENGINEERS

INFRASTRUCTURE

Project

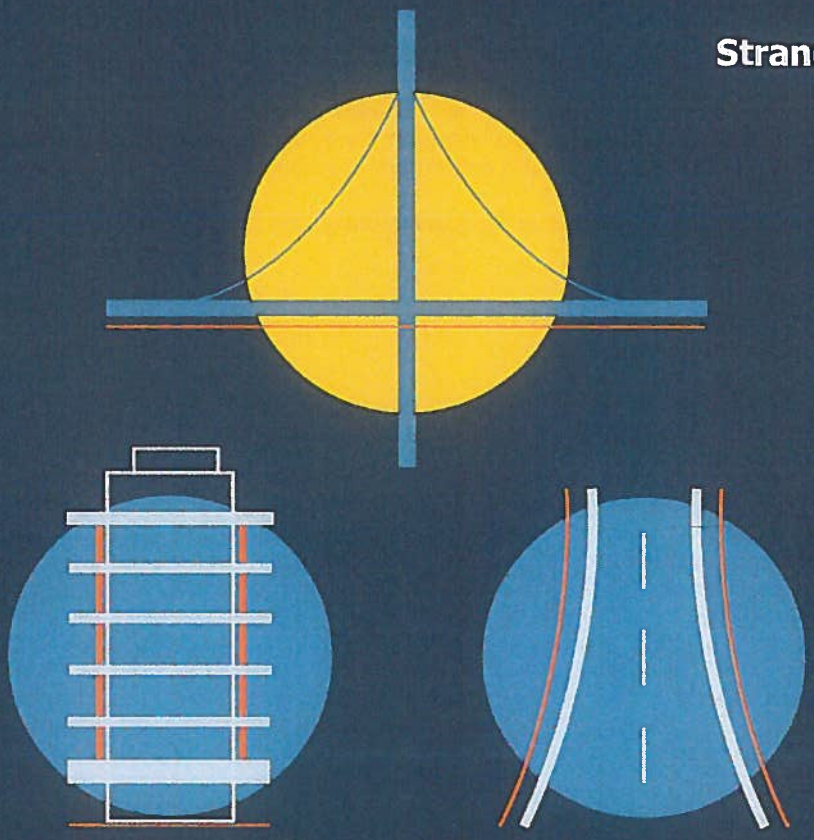
Proposed Demolition Application at No.24-28 Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin

Report Title

Preliminary Demolition Management Plan (DMP)

Client

Strand Court Limited



DBFL CONSULTING ENGINEERS

December 2020

Document Control

Project Title: **No.24-28 Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin**

Project Number: **p200011**

Report Ref: **200011-DBFL-XX-XX-RP-C-0006**

Author: **Laura McLoughlin**

Reviewed By: **Sarah Curran**

Approved By: **Sarah Curran**

Distribution: **– Design Team**

– DBFL Consulting Engineers

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Revision	Issue Date	Description	Prepared	Reviewed	Approved
P01	26.11.2020	Draft Issue for Compliance	LMCL	SVC/TJ	SVC

TABLE OF CONTENTS

1 INTRODUCTION

This preliminary Demolition Management Plan (DMP) is for the works associated with the demolition of the existing properties located at No.24-28 Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin.

This DMP is provided as an update to the Outline Demolition Plan submitted to DLRCC as part of Planning Application Ref: D20A/0406 and addresses noise and vibration, traffic management, working hours, pollution control, dust control, road cleaning, compound / public health facilities and staff parking, asbestos removal, biodiversity mitigation measures and all measures associated with the demolition works.

2 PROPOSED WORKS

This report relates to the demolition associated with the clearance of the proposed development site located at No.24 - 28 Foster's Avenue, Mount Merrion, Co. Dublin. The brownfield site currently comprises of three separate developments, No.28 Foster's Avenue, a two-storey private residence, No.26 Foster's Ave, the disused Glenville Industrial Estate and No.24 Foster's Avenue, a three-storey private residence.

The site is bound to the front (north west) by Foster's Avenue and residential properties on Foster's Avenue border either side of the site. UCD Belfield campus is located on the opposite side of Foster's Avenue with the site located directly across from the UCD Nova access. The rear of the site is bound by the rear gardens of dwellings on St. Thomas Road. There is a retaining wall at the rear site boundary with a ground level difference of circa 2m.

Figure 1.1 – Site Location, No.24, 26 and 28 Foster's Avenue, Mount Merrion, Co. Dublin

The site is located at a low point on Foster's Avenue and slopes in a southerly direction at an approximate gradient of 1:80. There is vehicular access to the site from Foster's Avenue and it is circa 260m from the R138 and circa 820m from the N11. The Dublin Eastern Bypass reservation boundary runs along Foster's Avenue.

The Contractor must strictly adhere to any conditions of planning. For the basis of this DMP we have referred to the conditions as listed in the notification of grant of permission issued by DLRCC (Reg Ref: D20A/0406), and a further update will be required to ensure adherence to any requirements arising from the Board's decision (ABP Reg.: ABP-308770-20), should a grant of permission be issued.

The intention of the works is to:

- Demolish all vacant industrial buildings down to, but not including Ground Floor slab level. There is to be no excavation below ground level. Any underground drainage services beneath these industrial units are to be protected during demolition and remain live and functional post-demolition.
- Demolish No. 24 Foster's Avenue (Glenville) down to, but not including Lower Ground Floor/Basement slab level. Provision must be made to retain any shared boundary elements with the adjacent property at No. 22 Foster's Avenue, including but not limited to, any associated:
    - Temporary Works Design's,
    - Permanent stability / strengthening requirements,
    - Protective measures,
    - Further investigative works, and
    - Cosmetic repair / remedials post-demolition (if applicable).

  Any underground drainage services, including storm water holding tank and associated outflow pumping system, are to be protected during demolition and remain live and functional post-demolition.

  Before any demolition commences on 24 Foster's Avenue (Glenville), a detailed assessment of the condition and suitability of this boundary wall will be undertaken.
- Demolish No. 28 Foster's Avenue (Sunnyside) in its entirety. Provision must be made to retain the shared party wall of the Garage with the adjacent property at No. 30 Foster's Avenue, including but not limited to, any associated:
    - Temporary Works Design's,

- Permanent stability / strengthening requirements,
- Protective measures,
- Further investigative works,
- Permanent weathering of wall and roof elements, and
- Cosmetic repair / remedials post-demolition (if applicable)

Any underground drainage services are to be protected during demolition and remain live and functional post-demolition.

There will be no change to existing ground levels during the proposed demolition works, all works will be above ground level. As noted above, all shared walls with this property will be kept intact and supported during and after the proposed works.

- Demolish the front boundary wall down to the Existing Ground Level on the Foster's Avenue side. Due to the drop off in ground levels, provision must be made to retain and protect any element of this boundary wall that retains the ground build up on the Foster's Avenue side. Any fencing/hoarding called up in the Works Requirements is to be measured from the Fosters Avenue side and take into account any drop off in level as noted previously. This drop off in levels is on the proposed development side of the site boundary at the interface with Foster's Avenue and has no influence on the boundary with no.30 Foster's Avenue.
- Retain and protect any boundary elements (walls, fences, or other) unless specifically stated otherwise.
- Action any requirements stipulated by the Projects M&E Consultant within their Specification and/or Drawings, including but not limited to, any requirements relating to existing utility services.
- Remove any trees, as identified in the Arborist's / Landscape Architects Tree Constraints Plan, required to facilitate the Works listed. All other trees are to be retained and protected, as identified on the Arborist's / Landscape Architects Tree Constraints Plan.
- Any tree felling / tree works to be carried out by qualified tree surgeons under the supervision of the Project Arborist.
- Action any mitigation measures noted in the Bat Assessment prepared by BatEco Services included in this planning application. These bat mitigation measures are recommended to reduce the potential impact of the proposed development on local bat populations and to protect local bat populations during proposed demolition works – see chapter 10 for proposed mitigation measures.

- A NPWS Derogation Licence has been received (Derogation Licence No. DER/BAT/2020-93) and the contractor will be obliged to comply will all conditions attached to this licence (noted in chapter 10 of this report).
- Action any requirements stipulated by the Projects Landscape Architect and Ecologist within their Specification and/or Drawings, including but not limited to, any requirements relating to protection measures, site monitoring, and so forth.
- Clear the site of debris and rubbish (associated with demolition and/or other).
- Please see AWN report - Demolition Waste Management Plan under a separate heading.
- As requested by DLRCC, a detailed WMP will be prepared and submitted for agreement prior to any works being carried out.

Following the Works, which are anticipated to take approximately 12 weeks to complete, the site should be clear of any debris and rubbish (whether associated with demolition and/or other). The site should be safe and secure, and ready for any next phase of potential work.

As mentioned above, the removal of trees does form part of these Works, please refer to the Arborist's / Landscape Architects Tree Constraints Plan, as well as any other associated Specifications/Drawings.

The Contractor shall be deemed to have visited and examined the site, its surrounding and restrictions and to have satisfied themselves as to the nature of the site/buildings (so far as is practicable from a visual inspection), the form and nature of the site and its relationship with existing buildings, adjoining property/lands, surface features and services.

3 COMPOUND FACILITIES/ PARKING

The construction compound for the proposed works shall be entirely within the site boundaries. Site Welfare Facilities to be provided will include suitable washing / dry room facilities for staff, canteen, sanitary facilities, first aid room, office accommodation etc. Access to the compound will be security controlled and all site visitors will be required to sign in on arrival and sign out on departure.

The compound shall be constructed using a clean permeable stone finish and will be enclosed with security fencing. Parking of vehicles on the neighbouring residential streets will be prohibited during the course of the demolition works.

On completion of the works all materials, debris, temporary works etc. from the site compound will be removed off site and the site compound area reinstated in full on completion of the demolition works.

The proposed site compound shall be located outside of any tree protection fencing and outside of any root protection area (RPA) of any tree to be retained.

The proposed site compound arrangement and layout is subject to further review and approval following Main Contractor appointment.

Temporary hoarding will be erected around the perimeter of the site during the demolition works where required.

See Fig 1.2 below for location of site entrance and proposed parking area.

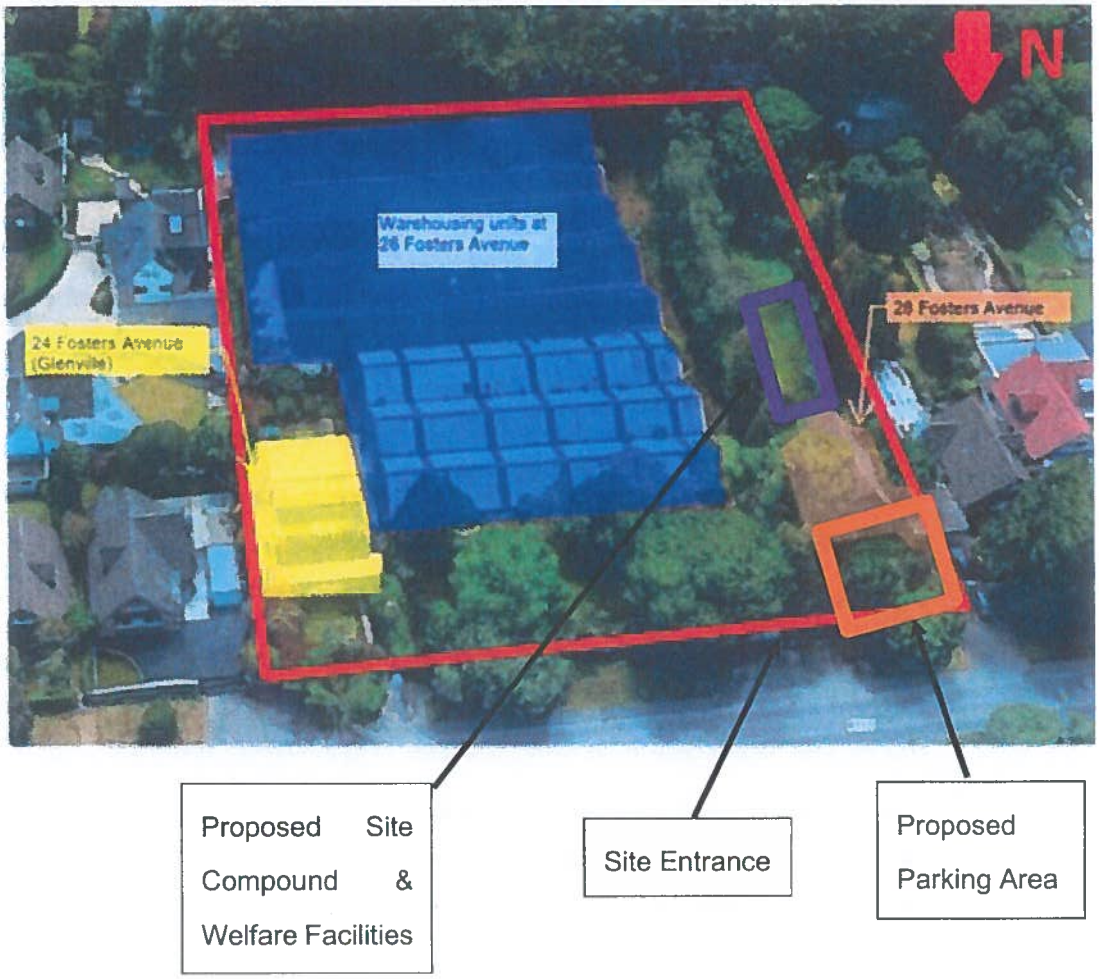


Figure 1.2 – Site Demolition Plan

4 ACCESS & TRAFFIC MANAGEMENT

Prior to commencement of the demolition works a Traffic Management Plan (TMP) will be prepared in accordance with the principles outlined below and shall comply at all times with the requirements of:

- Chapter 8 of the Department of the Environment Traffic Signs Manual, current edition, published by The Stationery Office, and available from the Government Publications Office, Sun Alliance House, Molesworth Street, Dublin 2;
- Guidance for the Control and Management of Traffic at Road Works (June 2010) prepared by the Local Government Management Services Board;
- Any additional requirements detailed in the Design Manual for Roads and Bridges & Design Manual for Urban Roads & Streets (DMURS)

Please see Appendix A for the Traffic Management Plan.

All demolition/waste removal/site vehicles shall enter and exit the site via an existing vehicular access on Foster's Avenue as noted in Fig 1.2 above. This entrance is the existing double steel gate access to 26 Foster's avenue, Mount Merrion, Blackrock.

Traffic volumes are not anticipated to be significant and turning movements into the site shall be accommodated without delay. Warning signage will be provided for pedestrians and other road users on all approaches in accordance with Chapter 8 of the Traffic Signs Manual and the Contractor's Traffic Management Plan.

All demolition activities will be governed by this report and the above noted Traffic Management Plan (TMP). The principal objective of the TMP is to ensure that the impacts of all demolition activities generated during these works upon the public (off-site), visitors to the subject site (on-site) and internal (on-site) workers environments, are fully considered and proactively managed/programmed thereby ensuring that safety is maintained at all times, disruption is minimised and undertaken within a controlled hazard free/minimised environment.

See figure 1.2 above for the proposed location of site compound including materials separation / storage and demolition staff welfare facilities. This area will be confirmed by the appointed contractor prior to demolition works commencing.

It should be noted that traffic generated during the demolition works will tend to be during off-peak hours.

Demolition traffic will consist of the following categories:

- Private vehicles owned and driven by site construction staff and by full time supervisory staff. On-site employees will generally arrive before 08:00 thus avoiding the morning peak hour traffic. These employees will generally depart after 18:00. It should be noted that a large proportion of construction workers would arrive in shared transport. The site is readily accessible by public transport with Dublin Bus services within nearby walking distance.
- Plant involved in site demolition works and removal vehicles for the debris generated etc.

The following estimates have been made in respect of the expected impacts during the demolition:

- Appropriate on-site car parking and compounding will be provided to prevent overflow onto the local network. Parking in or in front of nearby residential neighbourhoods shall be strictly prohibited.
- It is likely that some numbers of the demolition team will be brought to/from the site in vans/minibuses, which will serve to reduce the trip generation potential.
- During this period of demolition, it is likely that up to 2 No. truck trips per hour (maximum) will be generated by vehicles removing demolition waste from the site.
- The site offices and compound will be located within the site boundary.

REDUCTIVE / MITIGATION MEASURES

Traffic Management during Demolition

As noted above a Traffic Management Plan has been prepared (see appendix A). This plan has been prepared in order to note demolition traffic management and monitoring measures outlined below:

- During the demolition phase, the site will be securely fenced off from adjacent properties, public footpaths and roads.
- The surrounding road network will be signed to define the access and egress routes for the site to ensure the safety of all road users and construction personnel.
- The traffic generated during this phase will be strictly controlled in order to minimise the impact on the surrounding road network.
- All employees and visitor's vehicle parking demands will be accommodated on-site.

- A programme of street cleaning (at site frontage on Foster's Avenue) will be implemented.

5 ROAD CLEANING

Provision will be made for the cleaning by road sweeper etc. of all access routes to and from the site during the demolition works. Road cleaning shall be undertaken as required during the completion of the works.

All road sweeping vacuum vehicles will be emptied off site at a suitably licensed facility.

See Section 12 for further information on road cleaning and dust control.

6 WORKING HOURS

For the duration of the proposed demolition works the maximum working hours shall be 08:00 to 19:00 Monday to Friday (excluding bank holidays) and 08:00 to 14:00 Saturdays, subject to the restrictions imposed by the local authorities as part of the planning permission. No working will be allowed on Sundays and Public Holidays without prior written approval from the Planning Authorities.

7 NOISE & VIBRATION

The demolition of the proposed site will involve the use of noise generating construction plant. Noise, dust and vibration surveys will be undertaken prior to the commencement of the demolition to establish a baseline and the levels will be monitored during the demolition works. It is intended that noise from this phase of the development will be kept to a minimum in accordance with:

- *"BS 5228: Code of Practice for Noise and Vibration Control on Construction and Open Sites"* Part 1 and Part 2.
- Guidelines for the Treatment of Noise and Vibration in National Road Schemes (NRA, 2014)
- Safety, Health and Welfare at Work (General Application) Regulations 2007, Part 5 - Noise and Vibration

The proposed demolition shall comply with these documents. Unless absolutely necessary, demolition work will be performed within the hours indicated in the relevant planning permission and any works outside this timeframe shall be agreed with the Council in advance.

The noise limits to be applied for the duration of the infrastructure works are those specified in the B Category of BS 5228. BS5228-1:2009+A1:2014 gives several examples of acceptable limits for construction or demolition noise, the most simplistic being based upon the exceedance of fixed noise limits.

The following noise limits will be applied:

- Daytime (07:00 – 19:00hrs): 70dB(A) for residential properties
- Evening (19:00 – 23:00hrs): 60dB(A) for residential properties

It is also proposed that communications be maintained between the Contractor, the Developer, the Local Authority, the neighbouring Belfield UCD campus and Local Residences throughout this phase of the works to ensure that noise emission and vibrations are maintained at a low level and that any possible complaints can be rectified speedily.

All works on site shall comply with BS 5228-2009 which gives detailed guidance on the control of noise and vibration. In general, the contractor shall implement the following mitigation measures during the proposed demolition works:

- Avoid unnecessary revving of engines and switch off equipment when not required.
- Keep internal haul roads well maintained and avoid steep gradients.
- Minimise drop height of materials.
- Start-up plant sequentially rather than all together

More specifically the Contractor shall ensure that:

- Regular and effective maintenance by trained personnel is carried out to reduce noise and / or vibration from plant and machinery.
- The selection of demolition plant with low potential for generating noise and to implement noise control at source (see below).
- The siting of noisy construction plant as far from neighbouring properties as possible.
- The erection of temporary barriers around items such as generators or compressors if required.
- Any and all ancillary plant shall be positioned so as to cause minimal noise disturbance.
- Where demolition activities are required in close proximity to neighbouring noise sensitive properties, a solid hoarding of approximately 2.5m in height should be erected to provide a degree of acoustic screening to the lower storeys.
- An acoustically screened area should be provided on the site specifically for noisy operations such as grinding and cutting metal.
- A site representative responsible for matters relating to noise and vibration will be appointed prior to demolition works on site and who shall also liaise with neighbouring residents and the wider public with regards to noise levels (See below).
- Hours are limited during which site activities likely to create high levels of noise and vibration are carried out.

Selection of Quiet Plant & Noise Control at Source

The potential for any item of plant to generate noise should be assessed prior to the item being brought onto the site. The least noisy item should be selected wherever possible. Should a particular item of plant already on the site be found to generate high noise levels, the first action should be to identify whether said item can be replaced with a quieter alternative.

If replacing a noisy item of plant is not a viable or practical option, consideration will be given to noise control "at source". This refers to the modification of an item of plant or the application of improved sound reduction methods in consultation with the supplier.

For example, resonance effects in panel work or cover plates can be reduced through stiffening or application of damping compounds; rattling and grinding noises can often be controlled by fixing resilient materials in between the surfaces in contact.

Referring to the potential noise generating sources for the works under consideration, the following best practice migration measures should be considered:

- Site compounds will be located away from noise sensitive receptors within the site constraints.
- Mobile plant should be switched off when not in use and not left idling.
- For all materials handling ensure that materials are not dropped from excessive heights, lining drops chutes and dump trucks with resilient materials.
- Demountable enclosures can also be used to screen operatives using hand tools and will be moved around site as necessary.
- All items of plant will be subject to regular maintenance. Such maintenance can prevent unnecessary increases in plant noise and can serve to prolong the effectiveness of noise control measures.

Site liaison with regards to noise

The contractor shall appoint a site liaison officer for queries regarding noise and vibration who will work alongside a noise and vibration monitoring specialist appointed to periodically carry out independent monitoring of noise and vibration during random intervals and at sensitive locations for comparison with limits and background levels. It is proposed that noise and vibration levels be maintained below those outlined above as part of these works.

Further Measures

All vehicles and mechanical plant used for the purpose of the Works shall be fitted with effective exhaust silencers and shall be maintained in good and efficient working order. In addition, all diesel engine powered plant shall be fitted with effective air intake silencers. All compressors shall be "sound reduced" models fitted with properly lined and sealed acoustic covers which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silences of the type

recommended by the manufacturers, and where commercially available, dampened tools and accessories shall be used.

All ancillary plant, such as generators and pumps, shall be positioned so as to cause minimum noise disturbance. If operating outside the normal working week acoustic enclosures shall be provided.

8 SEDIMENT AND WATER POLLUTION CONTROL PLAN

All works carried out as part of these demolition works will comply with all Statutory Legislation including the Local Government (Water Pollution) acts, 1977 and 1990 and the contractor will co-operate in-full with the Environmental Section of Dun Laoghaire Rathdown County Council.

- Disposal of Wastewater off Site – The Site Management Team will maintain a record of all receipts for the removal of toilet waste off site to insure its disposal in a traceable manner. These will be available for inspection by the Environment Section of Dun Laoghaire County Council at all times.
- Road Sweepers / Cleaning – The cleaning of public roads in and around the subject site will be undertaken to reduce environmental impacts and care will be taken to prevent any pollution of nearby watercourses from this activity.

While the downpipes serving the existing buildings were designed to drain into the below ground foul and surface water drainage network these downpipes are currently in a state of disrepair and the surface water runoff from the building roofs currently discharges to ground. As it is recommended to remove the roof and walls of the existing buildings there will be no significant change to the to the volume of rainwater spilled onto adjacent grounds. In fact, as the water will not be discharged via a down pipe but allowed to run-off the horizontal surface, the rate at which it enters the natural groundwater system will be reduced. Thus, preventing erosion of the existing ground.

The run-off will filter through the existing surface thus allowing any suspended solids to be settled out and removed before entering the natural groundwater system. There is no requirement for significant excavation during demolition and as a result any existing infrastructure, both surface water and foul, will remain undisturbed and current drainage pathways intact.

Given the extend of the demolition works it is not anticipated that there will be significant surface water run-off generated during the proposed works. Any sedimentation and erosion due to direct surface water run-off generated onsite during the demolition phase needs to be prevented.

To prevent this from occurring it is recommended that a temporary positive drainage system be installed prior to the commencement of the works to collect surface water run-

off by the site during the demolition. This temporary surface water management facility will throttle run-off and allow suspended solids to be settled out and removed before being discharged in a controlled manner to an agreed outfall.

By this filtering of the surface water run-off from the demolition site, it will be ensured:

- Site disturbance is at a minimum.
- Sediment control is implemented.
- Potential for erosion is minimised.
- Sediment-contaminated water leaving the site is prevented.

After demolition, the site should be left so that surface water run-off will be retained within the site to drain to ground and not flow onto the public road or adjacent properties.

9 BIODIVERSITY PROTECTION MEASURES

- Where practicable, the removal of trees and other features suitable for use by nesting birds shall be undertaken outside the bird nesting season (avoiding the period 1st March to 31st August). Should the construction programme require vegetation clearance between March and August bird nesting surveys shall be undertaken by suitably experienced ecologists. If no active nests are recorded, vegetation clearance shall take place within 24 hours. In the event that active nests are observed, an appropriately sized buffer zone shall be maintained around the nest until such time as all the eggs have hatched and the birds have fledged. Once it is confirmed that the birds have fledged and no further nests have been built or occupied, vegetation clearance may take place. Although none have been found on site to date, care must be taken during development to ensure that common lizards, common frogs and smooth newts (which are all protected under the Wildlife Act (1976) and subsequent amendments) are not harmed.
- All site clearance will comply with current legislative requirements and best practice. All retained trees that are will be protected in accordance with the requirements of British Standard BS5837:2012 Trees in Relation to Design, Demolition and Construction' – Recommendations, with protective fencing being installed around all trees to be retained, prior to commencement of demolition. Please refer to arborist report under separate heading for further details. Trees to be removed will be felled and removed by specialist contractor under separate appointment.
- Prior to any site clearance works taking place, bat boxes will be installed on the site in appropriate locations on the site, under the supervision of the project ecologist. This is in order to prevent any impacts on roosting bats as a result of the proposed development.

- **Invasive Species Management (Author: BSM)**

Three-cornered leek

As noted in the accompanying Ecological (Biodiversity) Appraisal prepared by Brady Shipman Martin (BSM), one species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations (2011-2015), three-cornered garlic

(Allium triquetrum), also known as three-cornered leek, was recorded within the site, mainly in the rear garden of No.28. This plant will be eradicated as part of the long-term plan to develop the site.

A specialist contractor will develop a detailed, site-specific plan to eradicate the plant from the site and to prevent its spread. It should be noted that during the demolition works it should be possible to fence off and prevent access to the rear of No.28 Foster's Avenue, if no access is required to this area to enable the demolition.

In the short term, i.e. for the duration of the demolition phase, three-cornered leek should be left in-situ, fenced off and subjected to an ongoing chemical treatment programme where possible. Herbicide treatment by an invasive species specialist contractor with demonstrated experience in treating and managing invasive plants will take place as follows:

The plant should be sprayed in April with a glyphosate-based herbicide. In order to increase the effectiveness of the herbicide application the leaves should be lightly bruised in advance of treatment. All herbicide treatments will need to be repeated every 2-3 months in order to treat whatever regrowth results from the seed and bulb bank left by this species.

Where material that contain this species needs to be excavated, this material must be removed to an EPA licenced waste facility by an invasive species specialist contractor with demonstrated experience in treating and managing invasives. Strict biosecurity procedures should be adhered to in order to minimise the risk of spread.

Where soils are to be removed for the proposed development. The infestation and an area of up to ca. 2m around and to a depth of 0.5m may contain TCL seeds and/or bulbs. This soil must be disposed of at an EPA licenced waste facility and not mixed with general spoil.

Unlike with, for example Japanese Knotweed (which is not present on the site), it is not necessary to excavate the plant in order to prevent damage to structures that may be built over it.

All machinery should be thoroughly cleaned down before leaving the site to ensure that winter heliotrope is not spread offsite as a result of the works.

Winter Heliotrope

A second invasive species, winter heliotrope (Petasites pyrenaicus), has also been recorded in parts of the site (mainly associated with hard-standing areas of No. 26). Unlike three-cornered leek this plant is not listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations (2011-2015). It is however invasive and as such will be treated in a similar manner to the three-cornered leek, by the same specialist contractor.

All machinery should be thoroughly cleaned down before leaving the site to ensure that winter heliotrope is not spread offsite as a result of the works.

- **Bat Mitigation Measures**

The contractor will implement bat mitigation measures along with any changes or clarification agreed in correspondence between NPWS and the agent or applicant. The bat mitigation measures below are recommended to reduce the potential impact of the proposed development on local bat populations and to protect local bat populations during proposed demolition works.

Removal of Building No.26

As noted, the proposed demolition will be undertaken with due consideration for potential roosting bats. No external lighting will be used during the demolition and all works will be undertaken during daytime hours.

Works will be undertaken in a series of steps, which will be strictly followed, to ensure safe removal of structures with due care for local bat populations. This will facilitate reducing the potential roosting sites for bats thereby discouraging bats from using the buildings. A section of No. 26 was a day roost for a brown long-eared bat and while a night roost for soprano pipistrelles and common pipistrelles was also recorded. Therefore, the removal of such will require an NPWS Derogation Licence and mitigation measures to provide an alternative roosting site for bats. A NPWS Derogation Licence for these works has been received (Licence No. DER/BAT 2020-93) and all conditions (noted below) will be strictly adhered to.

Further details of the proposed bat mitigation measures will be finalised with the demolition contractor – subject to Derogation Licence and terms and conditions. These measures are outlined below:

a) The proposed alternative roosts will be erected on site prior to removal of this building. This will be erected before planned demolition to allow local bat populations to become aware of it prior to removal of the structure.

- Rocket Bat Box (x2) – free-standing chamber on free-standing pole. These will be located in dark zones to the rear of the site along the existing treeline (western boundary of the proposed development site). Erection of these bat boxes will be undertaken prior to proposed pruning of Treeline 1. Once erected, these will be protected from construction operations.
- Additional temporary summer bat boxes (2 units) will also be erected on existing trees prior to any proposed works.
- An additional mitigation measure will be undertaken during construction of the proposed amenity building – Integrated bat tubes will be built into the external wall (4 units) adjacent to the boundary of the proposed development site.

b) The buildings will be removed in the autumn or spring months:

- Check/survey building to ensure that no bats are present. Check known roosting site and other potential crevices etc. within the structure. Survey at dusk and dawn to ensure no bats are present.

- Remove sections of the roof in the presence of a bat specialist to decrease the suitability of the building as a roosting site. Remove plaster board on walls that may provide suitable roosting sites for bats.

- The bat specialist is to check any spaces or cavities with an endoscope before allowing the remainder of the structure to be demolished.

In discussion with the demolition contractor, sections of Building No.26, that were not recorded as a Day Roost for the brown long-eared bat, will be removed first. This will reduce the suitability of the remaining section of Building No.26 as a bat roost. The steps below are to be followed:

Day 1

Step 1 – Resurvey the building prior to demolition works to determine if any bats are present (Dusk and Dawn Surveys).

Step 2 – If the building is bat free, remove the roof with care and in the presence of the bat specialist. Careful removal of plaster boards and other sections of the internal space of the building deemed potentially suitable for roosting bats will be removed as instructed by the bat specialist and in the presence of the bat specialist. This building is left open overnight, for at least one night, without any walls demolished.

Step 3 – The bat specialist will examine any crevices in the standing walls of the building with an endoscope to determine if any bats are present and if required a dusk/dawn survey will be undertaken.

Day 2

Step 4 – During the following day, remove walls of the building, if deemed bat free by the bat specialist.

Step 5 – This process will be completed (i.e. steps 1-4) until all of the building is demolished in a manner deemed suitable by the bat specialist.

In order to prepare the demolition crew in relation to the requirements of bats, the following will be undertaken:

a) A on-site meeting with the demolition crew project manager will be completed prior to demolition in order to communicate the steps required to be undertaken in relation to the protection of potential roosting bats.
b) The bat specialist will prepare a Tool Box talk and present to the demolition crew prior to works being undertaken.

If a bat is encountered during the works (this will apply to all building, as a precaution) the following steps will be undertaken:

- All works will temporarily cease operation until the bat is safely secured or has flown to safety (please note that bats, if disturbed will often fly from the building).

- The bat specialist will remove the bat to safety and retain in a bat captivity box till evening. The bat will then be placed within one of the bat boxes prior to dusk.

To increase the potential that bats will use the rocket bat box, these will be carefully sited by a bat specialist. Some general points to follow include:

- Located adjacent to hedgerows / treelines to be retained and to the rear of the project site.
- Rocket boxes are erected on 5m mild steel box poles set in 1m x 1m concrete (45N) ensuring that there is 4m of pole above ground. Rocket bat box is secured on top of this steel pole.
- Location of the Rocket bat boxes are selected to ensure that future development plans will not impact on them. Future landscaping and lighting plans will be designed to ensure that their location is enhanced as part of overall bat mitigation plans for the project site.

Monitoring and reporting will be undertaken in accordance with the conditions of the NPWS Derogation Licence. Monitoring during the demolition works will include the following and all results of this monitoring will be reported to NPWS as Interim Reports which will also be issued to the Planning Authority:

- Bat box inspection. The alternative bat boxes will be checked during each visit to the site to determine their usage.
- Surveillance of bat activity using static units. Static units will be deployed nightly during the operation of the demolition works to determine bat activity. Units will be located within the spaces of Building No.26 and along the western boundary. This will provide information on knighting bat activity both within Building No.26 and within the proposed development site.
- Dusk and Dawn surveys. The bat specialist will undertake bat surveys as required, during the demolition period.
- Endoscope inspections. The bat specialist will undertake inspection of crevices and other spaces, as required, using an endoscope.

Removal of Other Buildings

While other buildings located within the proposed development area were not recorded as bat roosts, the following buildings will require a re-survey prior to removal to ensure that no bats are roosting within:

- Building No. 24

- Building No. 28

Removal of Trees & Protection of Remaining Trees

The proposed works will require a number of trees to be removed. The majority of these trees are not considered to be suitable as bat roosts. In addition, the principal treelines located along the boundary of Building No.28 will be substantially retained and protected as part of the demolition project, thereby reducing impacts on foraging and commuting bats.

- One tree, proposed to be felled, was identified as a Potential Bat Roost (PBR) and this was recorded as a category 2 tree.
- To mitigate for the PBR tree, the proposed rocket bat boxes and summer bat boxes listed in relation to building demolition will suffice to mitigate for the loss of this tree.
- Complete felling in the autumn months of September, October and November or spring month of February.
- Prior to felling, the bat specialist is required to inspect the tree using an endoscope to ensure that there is no bat present.
- Trees remaining within the survey area will be protected from demolition works and during the construction phase.

• Derogation Licence

As noted above the contractor will be obliged to comply with the conditions attached to the Derogation Licence (DER/BAT 2020-93) as summarised below:

1. This licence is granted solely to allow the activities specified in connection with the Demolition of buildings No.s 24, 26 & 28 located at Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin for Strand Court Limited.
2. All activities authorised by this licence, and all equipment used in connection herewith, shall be carried out, constructed and maintained (as the case may be) so as to avoid unnecessary injury or distress to any species of BAT.
3. This licence may be modified or revoked, for stated reasons at any time.
4. The mitigation measures outlined in the application report (Bat Assessment prepared for Proposed Demolition Application, pgs. 43-46), together with any changes or clarification agreed in correspondence between NPWS and the agent

or applicant, are to be carried out. Strict adherence must be paid to all the proposed measures in this application.

5. No work can begin before 1st October 2020 and must be completed by 1st October 2022.
6. The works will be supervised by licenced bat specialist Dr. Tina Aughney.
7. This licence shall be produced for inspection on a request being made on that behalf by a member of An Garda Siochana or an authorised NPWS officer appointed under Regulation 4 of the Habitats Regulations.
8. The National Parks and Wildlife Service Licencing Unit wildlifelicence@chg.gov.ie should be contacted prior to the commencement of any activity, and if bats are detected on site during the course of the work, under the terms of this licence.
9. A report shall be submitted to Wildlife Licensing Unit, National Parks and Wildlife Service Department of Culture, Heritage and Gaeltacht, R.2.03, 90 North King Street, Smithfield, Dublin 7, D07 N7CV on completion of the actions which this licence authorises, describing the activities carried out in pursuance of this licence.

10 EXISTING SERVICES

Disconnection of Drainage Services: underground drainage services are to be protected during demolition and remain live and functional post-demolition. The Contractor is to make provision for any protection measures required to ensure all underground drainage services remain free from damage during the Works. Services to the existing structures are to be surveyed/traced and must be identified within the site boundary as noted above. Existing foul water lines are to be capped at the lowest possible level (above ground) with surface water lines/outlets remaining active/open. Existing manhole chambers are to be maintained and not damaged in any way. The existing storm water holding tank, and associated pump system, located beneath No.24 (Glenville) are to be protected duration demolition and remain live and functional post-demolition.

Protect Drains still in use:

- Protect manholes, gullies, etc from damage.
- Keep drains clear of debris always.
- Make good any damage caused by the execution of the works and leave clean and in working order to the satisfaction of the Engineer.
- Foul lines to be capped at the lowest possible level (above ground).

Services Connections for appliances which are to be removed or relocated, to be cut back and stopped off:

a) Out of sight wherever possible, or
b) Where not possible, neatly to approval.

Watermains feeding the 2 No. dwellings, the vacant industrial buildings and any other outhouses are to be surveyed, traced and blanked off (below ground) outside of the footprint of the buildings – ideally at a valve chamber to avoid excavation, but not essential. The Contractor must ensure that all watermains feeding the buildings are blanked off within the extents of the Private ownership, i.e. the confines of the Site Boundary.

Utility Services: The Contractor is requested to refer to the Specifications / Drawings provided by the Project M&E Consultant with regards to disconnection and/or protection of utility services as part of the Works. Utility services is applicable to, but not limited to, electricity services, gas services and telecommunications services.

Utility Services: The Contractor is required to undertake their own scan/survey for existing utilities as part of the Works and to not be solely dependent on any such information relayed from the Utility providers. This is the sole responsibility of the Contractor, who shall indemnify the Employer in this regard.

Should any Utility providers need to be consulted and/or brought to site during the Works, any associated costs and/or time exerted will be at the expense of the Contractor.

Surface Water Runoff: The Contractor is required to make provision in the Tender for ensuring that, during and upon completion of the Works, that no adverse surface water runoff and/or flooding occurs on the site, and/or from the site across the boundary onto neighbouring properties, lands, roadways, or other. Proposals for the above are to be submitted in the Tender for review by the Employer and the Engineer.

Protection of services from breakage or crushing: Consideration will be given to areas where heavy plant is going to be tracked across the existing drainage infrastructure. This may require construction of temporary protective concrete slabs to bridge across the existing lines where haul roads are required.

11 DUST CONTROL

This section describes the site policy with regard to dust management and the specific mitigation measures which will be put in place during the demolition works. The objective of dust control at the site is to ensure that no significant nuisance occurs at nearby sensitive receptors.

In order to develop a workable and transparent dust control strategy, the following measures have been formulated by drawing on best practice guidance from Ireland, the UK and the US, such as:

- Department of Environment, Heritage and Local Government (DOEHLG), Quarries and Ancillary Activities, Guidelines for Planning Authorities (2004)
- US Environment Protection Agency (USEPA), Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition (periodically updated) (1986)
- The Scottish Office – Development Department, Planning Advice Note PAN50 Controlling The Environmental Effects of Surface Mineral Working Annex B: The Control of Dust at Surface Mineral Workings (1996) and
- Institute of Air Quality Management (IAQM), Guidance on the Assessment of Dust from Demolition and Construction (2014).

Demolition activities will be undertaken with due consideration of the surrounding environment, prevailing wind directions and the close proximity of sensitive receptors such as watercourses, residents and pedestrians. Dust management will minimise the impacts of the demolition on the surrounding air quality.

Dust deposition levels will be monitored on a regular basis in order to assess the impact on the local ambient air quality. In addition, good site management will include the ability to respond to adverse weather conditions by either restricting operations onsite or using effective control measures quickly before the potential for nuisance occurs.

- During work hours, technical staff will be available to monitor dust levels as appropriate; and
- At all times, the dust management procedures put in place will be strictly monitored and assessed.

The dust minimisation measures should be reviewed at regular intervals during demolition to ensure the effectiveness of the procedures in place and to maintain the goal of

minimisation of dust generation. In the event of dust nuisance occurring outside the site boundary, site activities should be reviewed and procedures implemented to rectify the problem.

Specific dust control measures to be employed are as follows:

- Roads
  - The most effective means of suppressing dust emissions from unpaved areas is to apply speed restrictions. A speed restriction of 10km/hr will be applied as an effective control measure in and around the proposed site.
  - Bowsers to be available during the demolition phase. Research has shown the effect of surface watering is to reduce dust by 50%. The required application frequency will vary according to soil type, weather conditions and vehicular use.
  - Any hard surface roads (at entrance to site) will be swept to remove mud and debris from their surface during the demolition phase.

The pro-active control of fugitive dust will ensure that the prevention of significant emissions, rather than an inefficient attempt to control them once they have been released, will contribute towards the satisfactory management of dust by the demolition contractor.

12 ASBESTOS REMOVAL

An asbestos survey for the site has been carried out by Phoenix Environmental Safety Ltd. as required in the Safety, Health and Welfare at Work (Construction) Regulations, 2013. Asbestos containing materials were found onsite, namely, roofing materials, rainwater goods, tiles, adhesive and insulation board.

Before demolition work commences, a suitably trained and competent asbestos removal contractor will be appointed by the Client.

All asbestos removing works will be carried out in accordance with S.I. No.386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010. It will be the responsibility of the asbestos removal contractor to supply all necessary paperwork including notification to the PDSP and Health and Safety Authority (HSA).

All works will be carried out in accordance with the best practice guidelines – The Health and Safety Authority's "Asbestos Containing Materials (ACMs) in Workplaces – Practical Guidelines on ACM Management and Abatement (2013)".

Due to the location of the proposed development 'Air Monitoring' onsite will be carried out by an independent analytical company during the removal works to ensure there is no elevated levels of asbestos fibre release.

Following demolition and removal of all asbestos containing materials an independent analyst will provide a 'Site Clearance Certification for Reoccupation' (clearance certificate). The analyst will conform to the requirements set out in the HSE (UK) technical guidance document "HSG 248: The Analysts' Guide for Sampling, Analysis and Clearance Procedures."

See Appendix B for a copy of the Asbestos Survey Report.

13 CONCLUSION

This preliminary demolition management plan addresses demolition activities on site that may result in noise, air quality, traffic, water quality, biodiversity or waste management issues, should the plan not be put in place and implemented.

A community liaison officer will be appointed to inform and update neighbouring residents with regards to the ongoing and planned activities on site during the works.

These include procedures for monitoring and tracking construction activities and ensuring construction personnel are trained and educated, as necessary. This demolition management plan is a preliminary document and will be reviewed and updated appropriately by the appointed contractor as the demolition phase approaches to accommodate any changes in activities on site.

DBFL CONSULTING ENGINEERS

December 2020

APPENDIX A

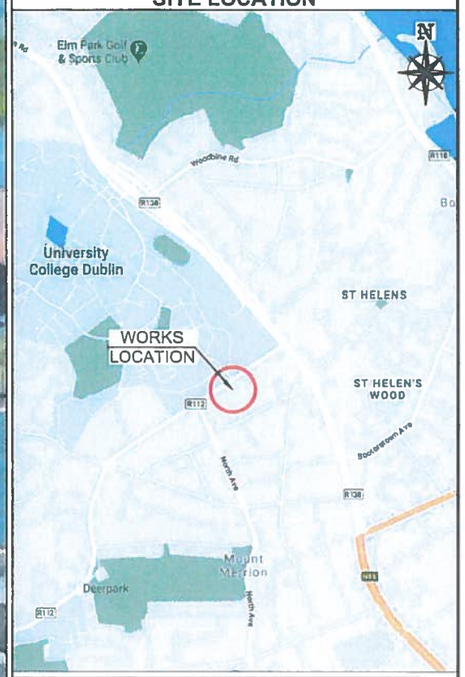
TRAFFIC MANAGEMENT PLAN

FOSTER'S AVENUE, BLACKROCK, DUBLIN

DEMOLITION STAGE

DESIGN PARAMETERS	
CHAPTER 8 ROAD LEVEL:	1(III)
SPEED LIMIT:	50km/h
ROADWORKS TYPE:	B
NUMBER OF SIGNS:	2
SIGN VISIBILITY:	50m
DISTANCE BETWEEN SIGNS:	20m
SIGNS SIZE RECTANGULAR - MIN.:	600mm
SIGNS SIZE CIRCULAR - MIN.:	600mm
CONE HEIGHT - MIN.:	750mm
TAPER CONE SPACING:	3m
LONGITUDINAL CONE SPACING:	3m
RATE OF TAPER:	N/A
SAFETY ZONE:	N/A
UNOBSTRUCTED WIDTH:	YES
MAXIMUM LENGTH OF SHUTTLE:	N/A
MINIMUM LANE WIDTH:	3m
TM SYSTEM:	SITE ACCESS MANAGEMENT

SITE LOCATION



LEGEND

- TEMPORARY TRAFFIC SIGN
- SITE BOUNDARIES

REV	DESCRIPTION	DATE	REV BY	CHK BY
01	AMENDMENTS AS PER CLIENTS REQUEST	14/12/20	LC	MC

CLIENT:

PROJECT:
FOSTER'S AVENUE, BLACKROCK, DUBLIN

TITLE:
DEMOLITION STAGE

DIRECTOR:	BE	PM:	CR	CHECKED:	MC
SCALE:	NTS	DRAWN BY:	LC	DATE:	10/12/20
STAGE:	CONSTRUCTION				
DRAWING NO:	EN 6044 - 001 - 001			REV:	01

CHM GROUP
COMPLETE HIGHWAY MAINTENANCE
UNIT 28, SECOND AVE TEL: (01) 424 2070
COOKSTOWN IND. EST. EMAIL: info@chmltd.ie
TALLAGHT, D24, IRELAND WEB: www.chmltd.ie

GENERAL NOTES

1) THIS TRAFFIC MANAGEMENT PLAN MAY ONLY BE IMPLEMENTED BY A TEMPORARY TRAFFIC OPERATIONS SUPERVISOR (TTOS) WHO MUST CARRY OUT A SITE RISK ASSESSMENT TO MODIFY (IF NECESSARY) THE MEASURES DESCRIBED TO SUIT ACTUAL SITE CONDITIONS BEFORE IMPLEMENTATION.

2) THE TTOS MUST BE IN POSSESSION OF THE VALID CONSTRUCTION SKILLS REGISTRATION CARD 'SIGNING, LIGHTING, AND GUARDING AT ROADWORKS' CONSTRUCTION REGULATIONS 2006.

3) THE TTOS TO DETERMINE EXACT POSITION OF SIGNS CONSIDERING THE SITE SPECIFICS.

4) IN ORDER THAT THE REQUIREMENTS SET OUT IN SECTION17(2) OF THE SAFETY, HEALTH & WELFARE ACT (2005) AND SECTION 16 (F) OF THE CONSTRUCTION REGULATIONS ARE MET, THE PSCS MUST ADVICE THE PSDP AND ALL RELEVANT PARTIES OF ANY CHANGE TO THE TEMPORARY TRAFFIC MANAGEMENT PLAN.

5) ALL WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH LOCAL AUTHORITY REQUIREMENTS AND TO BE INCLUDED IN THE SITE SPECIFIC SAFETY & HEALTH PLAN.

6) MAINTENANCE CHECKS SHOULD BE CARRIED OUT AT REGULAR INTERVALS AND IN ACCORDANCE WITH CONTRACT SPECIFICATIONS.

7) TEMPORARY SIGNS SUPPORTS OR STANDS SHOULD BE DESIGNED IN ACCORDANCE WITH SPECIFICATION TS4.

8) CONTRACTOR TO CARRY OUT A SITE RISK ASSESSMENT PRIOR TO THE INSTALLATION OF THE TRAFFIC MANAGEMENT PLAN TO ENSURE THAT CONDITIONS REFLECT THOSE CONSIDERED FOR DESIGN POST SUBMISSION.

9) ALL SIGNS USED FOR THIS TRAFFIC MANAGEMENT PLAN MUST COMPLY WITH CHAPTER 8 OF TRAFFIC SIGNS MANUAL LATEST EDITION.

10) WK 052 THIS SIGN SHOULD BE USED TO INDICATE THE POSITION OF A SITE ENTRANCE AND/OR EXIT, REFER TO CH. 8 FOR USAGE. BANKSMEN TO MANAGE SITE ACCESS & EGRESS.

11) THE ABSOLUTE MINIMUM WIDTH ALLOWED FOR PEDESTRIANS IS 1.2M AND FOR A ONE-WAY CYCLE TRACKS IS 1.2m.

12) SAFETY BARRIERS USED FOR THIS TMP MUST COMPLY WITH TII DN-REQ-03034-1 IS EN 1317-1 e) TEMPORARY SAFETY BARRIER

13) THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL REQUIRED RAMP ACCESS TO ALL CHANGES IN ROAD SURFACE LEVEL WHERE TRAFFIC RUNS ON A TEMPORARY SURFACE AND ALSO FOR CYCLE/PEDESTRIAN RAMPS WHERE THERE IS A LEVEL DISCONTINUITY AS A RESULT OF THE WORKS ON CYLE PATHS & FOOTPATHS.

14) ADDITIONAL SIGNS MAY BE USED TO COMPLEMENT THE SPECIFIC SIGNS USED AT THE ROADWORKS; WARNING SIGNS - YELLOW BACKGROUND - DESCRIBED IN CHAPTER 8, REGULATORY SIGNS - DESCRIBED IN CHAPTER 5, ETC. THEY ALL MUST COMPLY WITH THE SPECIFICATIONS OF 'TRAFFIC SIGNS MANUAL' AND 'TS4: GUIDELINES, CERTIFICATION SCHEME AND SPECIFICATION FOR CONSTRUCTION OF TRAFFIC SIGNS'.

APPENDIX B

ASBESTOS SURVEY REPORT

Phoenix Environmental Safety Ltd.

ASBESTOS SURVEY REPORT

(Refurbishment / Demolition Survey)

Client: Park Developments,
The Herbert Building, The Park, Carrickmines, Dublin 18

Location: No. 24 -28 Fosters Avenue,
Mount Merrion, Co. Dublin

Date: 14th February 2020

Report No. PE 20-196

Phoenix
Environmental
Safety Ltd.

Graigueswood, Freshford, Co. Kilkenny
Tel: 056 8832414
Fax: 056 8832950
admin@phoenixenv.ie
www.phoenixenv.ie

Client: Park Developments, The Herbert Building, The Park, Carrickmines, Dublin 18

Location: No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin

Asbestos Survey Report Type: Refurbishment / Demolition Survey

Survey Company: Phoenix Environmental Safety Ltd.

Surveyors: Jane Hickey & Andrew Hickey

Testing Laboratory: G&L Consultancy Ltd.

Date of Survey: 11th February 2020

Date of Survey Report: 14th February 2020

Report issue: Final

Signed: *Jane Hickey* Date: 14th February 2020

This report cannot be used for contractual or engineering purposes unless this sheet is signed where indicated by Surveyor. The report must also be designated `final` on the signatory sheet.

Please note that Phoenix Environmental Safety Ltd. cannot be held responsible for the way in which the Client interprets or acts upon the results.

The report must be read in its entirety including any appendices. Phoenix Environmental Safety Ltd. accepts no responsibility for sub-division of this report. All measurements in this report are approximate and therefore should not be used by the asbestos removal contractor for pricing purposes. The asbestos removal contractors should ascertain for themselves, by site measurements and inspection, the exact nature and extent of the work to be done.

The survey information should be used to help in the tendering process for removal of ACMs from the vessel before work starts. The survey report should be supplied by the client to designers and contractors who may be bidding for the work, so that the asbestos risks can be addressed. In this type of survey, where the asbestos is identified so that it can be removed (rather than to manage it), the survey does not normally assess the condition of the asbestos, other than to indicate areas of damage or where additional asbestos debris may be present. However, where the asbestos removal may not take place for some time, the ACMs' condition will need to be assessed and the materials managed

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SUMMARY

Following a request made by Park Developments, we have produced this Refurbishment / Demolition Survey report for No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin with the aim of finding asbestos containing materials (ACMs) within the scope of the asbestos survey.

The scope of the asbestos survey was confined to all accessible areas of the two houses and industrial building at No. 24 -28 Fosters Avenue. The three buildings are due for complete demolition in the near future. The areas within the scope of the survey are outlined in red below.

During the asbestos survey at No. 24 -28 Fosters Avenue, the following asbestos containing materials were detected in the following locations:

House 1

- Asbestos cement downpipes were identified externally around the house (20 linear meters approx.)
- Asbestos containing bitumen adhesive was identified under ceramic tiles in the rear extension on the basement level (16 m^2 approx.)
- Asbestos insulation board (AIB) was identified above the radiators throughout the house (12 boards approx.)
- Corrugated asbestos cement sheeting was identified on the roof of the garage in the garden (20 m^2 approx.)

SUMMARY

House 2 (RHS)

- Asbestos cement slates were identified on the roof barge (25 linear meters approx.)
- Asbestos cement soffit board was identified on the roof of the house (50 linear meters approx.)
- Asbestos cement gutters & downpipes were identified externally around the house (30 linear meters approx.)
- An asbestos cement flue pipe was identified on the external boiler unit (8 linear meters approx.)
- Asbestos insulation board (Millboard) and asbestos cement board debris was identified in the first floor of the house
- Asbestos containing floor tiles and bitumen adhesive was identified in the side entrance area (16 m^2 approx.)
- Corrugated asbestos cement sheeting was identified on the roof of the garage (20 m^2 approx. floor area)

INDUSTRIAL BUILDING

- Corrugated asbestos cement sheeting was identified on all the rear pitched roof areas of the industrial building (2,100 m^2 approx. floor area)
- Corrugated asbestos cement sheeting, which is over-roofed, was identified on the front pitched roof areas of the industrial building (920 m^2 approx. floor area)
- Asbestos cement board, cement sheeting and cement rainwater goods were identified throughout the industrial buildings
- An asbestos cement flue pipe was identified in the boiler room in the industrial buildings (2 linear meters approx.)

See Appendix C & F for more details

INTRODUCTION

Background

Asbestos has been used extensively in the building industry for over one hundred years and has proved to be an excellent product for a variety of uses, having many qualities such as insulation, fire and chemical resistance to name a few. Its suitability across a wide range of uses and its relatively cheap cost made it very popular, with over 3,000 different asbestos products having been recorded.

The use of asbestos containing materials (ACM's) was most prevalent between the 1950's and 1970's when it provided an economic, easy to use and versatile material. Unfortunately, given the constitution and make up of asbestos it can give rise to microscopic airborne fibres being released into the working environment. The fibres have carcinogenic properties caused by inhalation of the fibres which can get lodged in the lining of the lungs causing disease and death.

Scope & Purpose

Park Developments has commissioned Phoenix Environmental Safety Ltd. to undertake an asbestos survey at No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin. The aim of the survey was to locate and identify the presence of asbestos containing materials (ACM's) or suspected ACM's. This report provides a record and assessment of the extent and characteristics of ACM's and is based on information made available on the 11th February 2020.

This particular survey comprised of a Refurbishment / Demolition Survey, carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006, the Health and Safety Executive's (UK) guidance document HSG 264 (Asbestos: The Survey Guide) and HSG 227 (A Comprehensive Guide to managing Asbestos in Premises).

This means that:

- As far as reasonably practicable, locate and describe all ACM's in all reasonably accessible areas within the scope of the survey
- A sampling programme is undertaken to identify possible ACM's and estimates of the volumes and the surface areas of ACM made
- A record of the condition of the ACM's or where additional asbestos debris may be expected to be present is produced

Refurbishment / Demolition Surveys (formerly type 3 surveys)

This type of survey is necessary prior to any refurbishment (including "minor") or demolition work being carried out. These "refurbishment / demolition" surveys will be much more intrusive and destructive compared with management surveys as their intention is to locate all the ACMs so that they can be removed before the refurbishment or demolition takes place. Refurbishment/demolition surveys are required as necessary when the needs or use of the building changes and the fabric of the building will be disturbed or complex fixed plant and equipment are to be dismantled.

The purpose of the report is to:

- Enable the client to take appropriate precautions so that people who work at No. 24 -28 Fosters Avenue during any further demolition works are not exposed to asbestos-related health risks
- Provide information to assist the client in developing and implementing an action plan before any refurbishment works or demolition is carried out

Presentation of Findings

Data Sheets

A series of data sheets have been prepared to provide assessments and recommendations for each of the locations where samples were taken. These data sheets are presented in Appendix C.

Figures

The schematic diagrams presented in Appendix F at the rear of this document shows the locations of all of the asbestos containing materials detected during the asbestos survey.

Caveats

All reasonable steps have been taken to ensure that the contents and findings of this report are true and accurate. Though as stated below, further undetected ACM's may still be present within the premises. The client should therefore be aware of his responsibilities for identifying, locating, removing and/or managing all ACM's within the premises, and for notifying the appropriate authorities where necessary.

Refurbishment / Demolition Surveys

This type of survey employs the use of destructive sampling techniques of an unfamiliar site. Although every effort is made to locate all asbestos containing materials, it is impossible to rule out the possibility that undiscovered asbestos materials may be present. If the building is to undergo major refurbishment or demolition, it is recommended that the persons carrying out the work are made aware of this and take sufficient precautions, as may be appropriate, to ensure the health and safety of their own employees and any other parties who may be affected by the works.

APPENDIX A

ASBESTOS MATERIALS IN BUILDINGS

Sprayed coatings applied in Ireland were typically a mixture of hydrated asbestos cement containing up to 85% asbestos, mainly amosite but crocidolite and mixtures have been used. Primarily used for anti-condensation and acoustic control and fire protection to structural steelwork. It is a friable material but if in a good condition and unlikely to be disturbed presents no immediate danger; however it is likely to release fibres, if disturbed especially during repair and maintenance work. As it ages the binding medium of sprayed asbestos may degrade with the consequent release of more fibres.

Thermal insulation to boilers, vessels, pipe work, valves, pumps etc also known as hand applied lagging. Lagging may have a protective covering of cloth, tape, paper, metal or a surface coating of cement. All types of asbestos may be found in lagging and the content can vary between 15 and 85% asbestos with the protective papers being up to 100% chrysotile. The likelihood of fibre release depends upon its composition, friability and state of repair, but it is particularly susceptible to damage and disturbance through maintenance work or the action of water leaks.

Asbestos insulating boards usually contain between 16 to 40% amosite, although boards may be found to contain other types of asbestos and in other quantities. Insulating boards were developed in the 1950s to provide an economical, lightweight, fire resisting insulating material. As insulation board is semi-compressed it is more likely to release fibres as a result of damage or abrasion. Work on asbestos insulation board can give rise to high levels of asbestos fibre.

Asbestos cement products as in roofing slates, wall cladding, permanent shuttering, flue, rain water and vent pipes generally contain 10 to 15% of asbestos fibre bounded in Portland cement, some flexible boards contain a small proportion of cellulose. All three types of asbestos have been used in the manufacture of asbestos cement. The asbestos fibres in asbestos cement are usually firmly bound in the cement matrix and will be released only if the material is mechanically damaged or as it deteriorates with age.

Ropes and yarns are usually high in asbestos content, approaching 100% and all three types of asbestos have been used in their manufacture. They were used as in the pipe lagging process and in pipe jointing and also for packing materials as in heat/fire resistant boiler, oven and flue sealing or anywhere thermal of fire protection was required. The risk of fibre release depends upon the structure of the material; bonded gasket material is unlikely to release asbestos but an unbonded woven material may give rise to high fibre release especially if when damaged or frayed.

Cloth thermal insulation and lagging, including fire resistant blankets, mattresses and protective curtains, gloves, aprons, overalls etc. All types of asbestos have been used in the manufacture but since the mid 60's the majority has been chrysotile, the content of which can be up to 100 %.

Millboard, paper and CAF gaskets usually have an asbestos content approaching 100% with all three types of asbestos being used in their manufacture. They were used for insulation of electrical equipment and for thermal insulation. Asbestos paper has been used as a laminate for fireproofing to various fibre panels. These materials are on some occasions not well bonded and will release asbestos fibres if subject to abrasion and wear.

Bitumen felts and coatings may contain asbestos either bound in the bitumen matrix or as an asbestos paper liner. These materials are not likely to present a hazard during normal installation or use, but should be removed and disposed of in compliance with any regulation applicable.

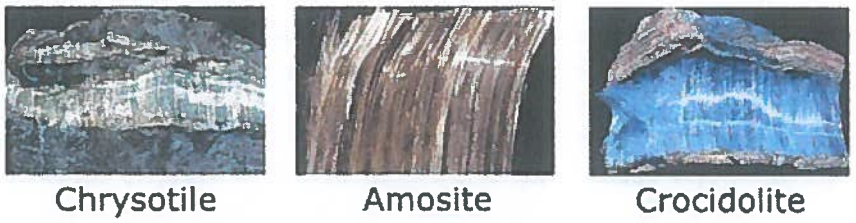
Vinyl, thermoplastic floor tiles can contain up to 25% asbestos usually chrysotile, PVC vinyl floor tiles and unbacked PVC flooring normally 7-10% chrysotile and asbestos paper backed PVC flooring the paper backing may contain up to 100% chrysotile. Fibre release is not normally an issue but may occur when the material is cut or subjected to abrasion.

Textured coatings. Decorative coatings on walls and ceilings usually contain 3-5% chrysotile. Fibre release may occur when subjected to abrasion.

Mastics, sealants, putties and floor tile adhesives may contain small amounts of asbestos. The only possible risk is from sanding of hardened material when appropriate precautions should be taken.

Reinforced plastic and resin composites, used for toilet cisterns, seats, banisters, stair nosings, window seals, lab bench tops, brakes and clutches in machines. The plastics usually contain 1-10% chrysotile and were used in for example car batteries to improve the acid resistance. Resins may contain between 20 and 50% amosite, but because of its composition fibre release is likely to be low.

ASBESTOS FIBRE TYPE COMMON NAMES	
Chrysotile	White Asbestos
Amosite	Brown Asbestos
Crocidolite	Blue Asbestos
Fibrous Actinolite	N/A
Fibrous Anthophyllite	N/A
Fibrous Tremolite	N/A


Chrysotile

Amosite

Crocidolite


Tremolite


Actinolite


Anthophyllite

APPENDIX B

RESULTS OF LABORATORY ANALYSIS

ASBESTOS BULK IDENTIFICATION REPORT

Report no: PE20-196	Date of Issue: 12th February 2020

Client details:

Park Developments, The Herbert Building, The Park, Carrickmines, Dublin 18

Identification of asbestos content of suspected asbestos containing material stated to have been sampled from the following location/site:

No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin

No of Samples received: 18	Date of receipt of samples: 12.2.2020	Date of analysis: 12.2.2020

TEST RESULTS

LAB. REF.	SAMPLE NO.	LOCATION	MATERIAL	ASBESTOS TYPE
S 01	BS 176559	LHS House - External	Cement downpipe	Chrysotile & Crocidolite
S 02	BS 176560	LHS House - Ground floor - Rear room	Tar adhesive	No asbestos detected in sample
S 03	BS 176561	LHS House - Ground floor – Radiator	Resin knob	No asbestos detected in sample
S 04	BS 176562	LHS House - Basement - Rear extension	Bitumen adhesive	Chrysotile
S 05	BS 176563	LHS House - Basement - Above radiators	Insulation board	Chrysotile & Amosite
S 06	BS 176564	Shed in LHS House garden - Roof	Cement sheeting	Chrysotile & Crocidolite
S 07	BS 176565	Industrial Buildings - Front warehouse – Roof	Cement sheeting	Chrysotile
S 08	BS 176566	Industrial Buildings - Rear warehouse – Roof	Cement sheeting	Chrysotile
S 09	BS 176567	Industrial build - Rear warehouse - Internal - Debris	Cement board	Chrysotile & Crocidolite
S 10	BS 176568	Industrial buildings - Rear warehouse – Boiler House	Cement flue	Chrysotile & Amosite
S 11	BS 176569	RHS House - Roof barge -	Cement slate	Chrysotile & Crocidolite
S 12	BS 176570	RHS House - Roof area	Cement downpipe	Chrysotile & Crocidolite
S 13	BS 176571	RHS House - External boiler	Cement flue	Chrysotile & Crocidolite
S 14	BS 176572	RHS House - 1st floor – Debris	Millboard	Chrysotile
S 15	BS 176573	RHS House - 1st floor – Debris	Cement board	Chrysotile & Crocidolite
S 16	BS 176574	RHS House - Side entrance	Floor tile & adhesive	Chrysotile
S 17	BS 176575	RHS House - Garage - Roof -	Cement sheeting	Chrysotile & Crocidolite
S 18	BS 176576	RHS House - Roof - Soffit	Cement board	Chrysotile & Crocidolite

LABORATORY ANALYST	G&L Consultancy Limited	DATE:	12th February 2020

APPENDIX C

ASBESTOS DATA SHEETS

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 1
Location	Externally
Extent/ Amount	20 linear meters approx.

Survey Date	11.2.2020	Sample No.	BS 176559
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

	MATERIAL ASSESSMENT		PRIORITY ASSESSMENT
Product type	Cement downpipes	Normal occupant activity	N/A
Extent of damage	Medium	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Crocidolite	Maintenance activity	N/A
	Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A

CONCLUSIONS AND RECOMMENDATIONS

The cement downpipes identified externally on House 1 contain Chrysotile (white) and Crocidolite (blue) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The asbestos cement downpipes should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 1
Location	Basement – extension
Extent/ Amount	16 m² approx. floor area

Survey Date	11.2.2020	Sample No.	BS 176562
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Bitumen adhesive	Normal occupant activity	N/A
Extent of damage	Low	Likelihood of disturbance	N/A
Surface treatment	Sealed	Human exposure potential	N/A
Asbestos type	Chrysotile	Maintenance activity	N/A
Material assessment score: N/A		TOTAL SCORE: N/A	Priority assessment score: N/A

CONCLUSIONS AND RECOMMENDATIONS

The bitumen adhesive identified under ceramic tiles in the extension in the basement contains Chrysotile (white) asbestos fibres. Asbestos bitumen contains a small quantity of asbestos fibres bound in a matrix

The asbestos containing bitumen adhesive should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

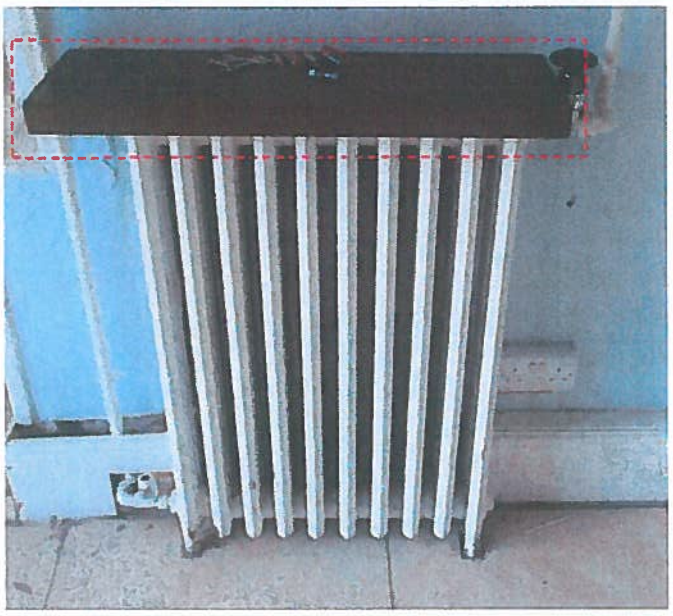
See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 1
Location	Above all radiators
Extent/ Amount	12 radiators approx.



Survey Date	11.2.2020	Sample No.	BS 176563
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Insulation board (AIB)	Normal occupant activity	N/A
Extent of damage	Medium	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Amosite	Maintenance activity	N/A
Material assessment score: N/A		TOTAL SCORE: N/A	Priority assessment score: N/A

CONCLUSIONS AND RECOMMENDATIONS

The insulation board panels identified above the radiators throughout House 1 contain Chrysotile (white) and Amosite (brown) asbestos fibres. Asbestos insulation boards usually contain between 15 to 40% asbestos fibres

The asbestos insulation board panels should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 1 – Garden
Location	Shed – Roof
Extent/ Amount	20 m² approx. floor area

Survey Date	11.2.2020	Sample No.	BS 176564
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Cement sheeting	Normal occupant activity	N/A
Extent of damage	Medium	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Crocidolite	Maintenance activity	N/A
Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A	

CONCLUSIONS AND RECOMMENDATIONS

The cement sheeting identified on the roof of the shed in the garden of House 1 contains Chrysotile (white) and Crocidolite (blue) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The asbestos cement sheeting should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 2
Location	Roof barge
Extent/ Amount	25 linear meters approx.

Survey Date	11.2.2020	Sample No.	BS 176569
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

	MATERIAL ASSESSMENT		PRIORITY ASSESSMENT
Product type	Cement slate	Normal occupant activity	N/A
Extent of damage	Medium	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Crocidolite	Maintenance activity	N/A
	Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A

CONCLUSIONS AND RECOMMENDATIONS

The cement fillet slates identified on the roof barges of House 2 contain Chrysotile (white) and Crocidolite (blue) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The asbestos cement fillet slates should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 2
Location	Roof – soffit
Extent/ Amount	50 linear meters approx.

Survey Date	11.2.2020	Sample No.	BS 176576
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Cement soffit board	Normal occupant activity	N/A
Extent of damage	Medium	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Crocidolite	Maintenance activity	N/A
	Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A

CONCLUSIONS AND RECOMMENDATIONS

The cement soffit boards identified on the roof of House 2 contains Chrysotile (white) and Crocidolite (blue) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The asbestos cement soffit boards should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 2
Location	Roof
Extent/ Amount	30 linear meters approx.

Survey Date	11.2.2020	Sample No.	BS 176570
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Cement gutters & downpipes	Normal occupant activity	N/A
Extent of damage	High	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Crocidolite	Maintenance activity	N/A
Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A	

CONCLUSIONS AND RECOMMENDATIONS

The cement gutters and downpipes identified on the roof of House 2 contain Chrysotile (white) and Crocidolite (blue) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The asbestos cement gutters and downpipes should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 2
Location	External boiler house
Extent/ Amount	8 linear meters approx.

Survey Date	11.2.2020	Sample No.	BS 176571
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Cement flue pipe	Normal occupant activity	N/A
Extent of damage	Medium	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Crocidolite	Maintenance activity	N/A
Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A	

CONCLUSIONS AND RECOMMENDATIONS

The cement flue pipe identified on the external boiler unit on House 2 contains Chrysotile (white) and Crocidolite (blue) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The asbestos cement flue pipe should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 2
Location	First floor area
Extent/ Amount	Not quantified

Survey Date	11.2.2020	Sample No.	BS 176572
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Millboard & asbestos cement	Normal occupant activity	N/A
Extent of damage	High – Debris	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile	Maintenance activity	N/A
Material assessment score: N/A		TOTAL SCORE: N/A	Priority assessment score: N/A

CONCLUSIONS AND RECOMMENDATIONS

The insulation board (millboard) and cement debris identified in the first-floor area of House 2 contains Chrysotile (white) asbestos fibres. Millboard can contain up to 100% asbestos fibres

The Millboard debris should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 2
Location	Ground floor
Extent/ Amount	16 m² approx. floor area

Survey Date	11.2.2020	Sample No.	BS 176574
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Floor tile & adhesive	Normal occupant activity	N/A
Extent of damage	High	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile	Maintenance activity	N/A
Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A	

CONCLUSIONS AND RECOMMENDATIONS

The floor tiles and adhesive identified in the ground floor area in House 2 contains Chrysotile (white) asbestos fibres. Thermoplastic floor tiles can contain up to 25% asbestos fibres, usually Chrysotile. Bitumen adhesives contain a small quantity of asbestos fibres

The asbestos floor tiles and adhesive should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	House 2
Location	Garage
Extent/ Amount	20 m² approx.

Survey Date	11.2.2020	Sample No.	BS 176575
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Cement sheeting	Normal occupant activity	N/A
Extent of damage	Medium	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Crocidolite	Maintenance activity	N/A
Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A	

CONCLUSIONS AND RECOMMENDATIONS

The cement sheeting identified on the roof of the garage at House 2 contains Chrysotile (white) and Crocidolite (blue) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The asbestos cement sheeting should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	Industrial Buildings
Location	Roof areas
Extent/ Amount	3,020 m² approx. floor area

Survey Date	11.2.2020	Sample No.	BS 176565
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

	MATERIAL ASSESSMENT		PRIORITY ASSESSMENT
Product type	Cement sheeting	Normal occupant activity	N/A
Extent of damage	Medium	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile	Maintenance activity	N/A
	Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A

CONCLUSIONS AND RECOMMENDATIONS

The corrugated cement sheeting identified on the pitched roof areas on the industrial buildings contains Chrysotile (white) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The corrugated asbestos cement sheeting should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	Industrial buildings
Location	Floors – Debris
Extent/ Amount	High quantity

Survey Date	11.2.2020	Sample No.	BS 176567
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

	MATERIAL ASSESSMENT		PRIORITY ASSESSMENT
Product type	Cement debris	Normal occupant activity	N/A
Extent of damage	High	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Crocidolite	Maintenance activity	N/A
	Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A

CONCLUSIONS AND RECOMMENDATIONS

The cement board, sheeting and rainwater good debris identified in the Industrial Buildings contains Chrysotile (white) and Crocidolite (blue) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The asbestos cement debris should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

DETAIL OF THE ASBESTOS CEMENT DEBRIS

Asbestos cement pipe debris and downpipe – remove

Asbestos cement board debris in the electrical room in the industrial buildings – remove

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	14th February 2020
Site Details	No. 24 -28 Fosters Avenue, Mount Merrion, Co. Dublin
Client Name	Park Developments
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-196
Building Ref.	Industrial Buildings
Location	Boiler house
Extent/ Amount	2 linear meters approx.

Survey Date	11.2.2020	Sample No.	BS 176568
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	G&L Consultancy Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Cement flue pipe	Normal occupant activity	N/A
Extent of damage	High	Likelihood of disturbance	N/A
Surface treatment	None	Human exposure potential	N/A
Asbestos type	Chrysotile & Amosite	Maintenance activity	N/A
Material assessment score: N/A		TOTAL SCORE: N/A	Priority assessment score: N/A

CONCLUSIONS AND RECOMMENDATIONS

The cement flue pipe in the boiler room in the industrial buildings contains Chrysotile (white) asbestos fibres. Asbestos cement products generally contain 10 to 15% asbestos fibres bounded in Portland cement

The asbestos cement flue pipe should be removed by an asbestos removal contractor and disposed of as asbestos waste before the demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

PHOENIX ENVIRONMENTAL SAFETY LTD.

ASBESTOS DATA SHEET

Created By	Jane Hickey
Date	6th February 2020
Site Details	'Rossmore', Castlecomer Road, Kilkenny
Client Name	Mr. Simon O'Dwyer
Survey Type	R/D Asbestos Survey
Site Ref	PE 20-178
Building Ref.	House
Location	Kitchen sink
Extent/ Amount	Two felt pads

Survey Date	5.2.2020	Sample No.	PES 28361
Survey Company	Phoenix Environmental Safety Ltd.		
Testing Laboratory.	Phoenix Environmental Safety Ltd.		

MATERIAL ASSESSMENT		PRIORITY ASSESSMENT	
Product type	Felt	Normal occupant activity	N/A
Extent of damage	Low	Likelihood of disturbance	N/A
Surface treatment	Well bound material	Human exposure potential	N/A
Asbestos type	Chrysotile	Maintenance activity	N/A
Material assessment score: N/A	TOTAL SCORE: N/A	Priority assessment score: N/A	

CONCLUSIONS AND RECOMMENDATIONS

The felt pads identified on the underside of the sink unit in the kitchen contain Chrysotile (white) asbestos fibres. Asbestos felt contains a small quantity of asbestos fibres bound in the products matrix

The asbestos containing felt pads should be removed by an asbestos removal contractor and disposed of as asbestos waste before any further refurbishment/demolition works commence

See Appendix F for more details

All asbestos removal work must be carried out in accordance with S.I. No. 386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010

APPENDIX D

NON ASBESTOS CONTAINING MATERIALS

Woodchip paper on the ceilings in House 1

Tar on the floors from the parquet floors in House 1

NON ASBESTOS CONTAINING MATERIALS

Metal gutter in the Industrial buildings

Chip board on the rear of the electrical panel in the Industrial Buildings

NON ASBESTOS CONTAINING MATERIALS

Tile cladding on the front of House 2

String insulation on pipe work in House 2

APPENDIX E

NON ACCESSIBLE LOCATIONS

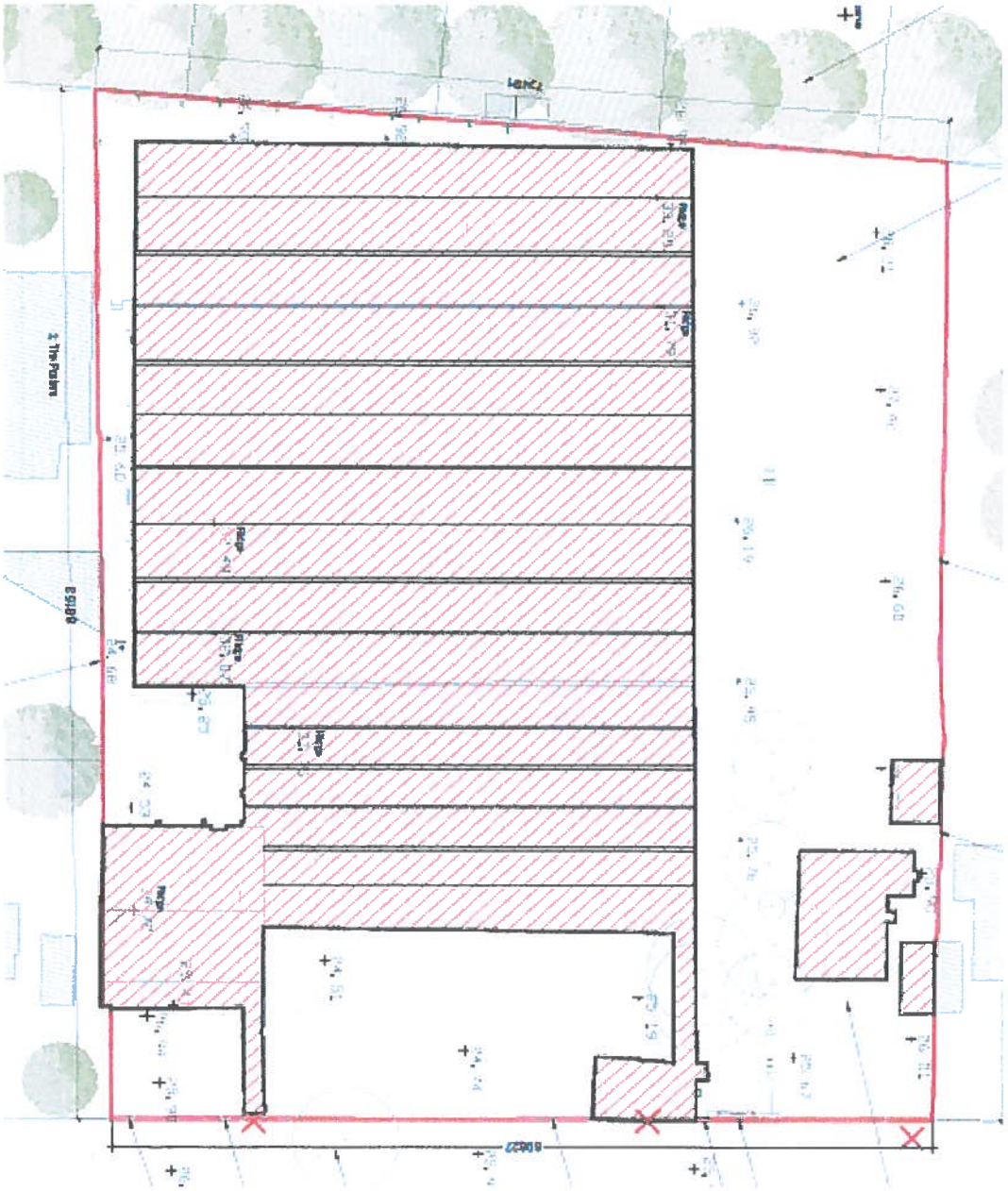
- The area at the rear of House 1 and the rear area of the industrial buildings was overgrown and not surveyed
- The building to the left inside the gate to the laneway was not fully accessible
- No confined spaces such as underground services, tanks, voids/ducts were inspected
- No inspection of live electrical or mechanical plant or similar requiring the attendance of a specialist engineer was carried out. No metal insulation jackets were removed to inspect insulation
- No inspection of any high-level areas requiring specialist access equipment other than telescopic ladder was carried out
- All contractors working on site should always remain vigilant to the possibility that other asbestos containing materials may be concealed within the fabric of the building or equipment. If any suspect asbestos containing materials are uncovered during the course of the work, works must stop in that area and the suspect material should be sampled and analysed immediately for the presence of asbestos

APPENDIX F

FLOOR PLANS & LOCATION OF ASBESTOS CONTAINING MATERIALS

Schematic diagram only Not to scale 14th February 2020	Foster Avenue Site, Mount Merrion, Co. Dublin

SITE PLAN



	Buildings within the scope of the asbestos survey

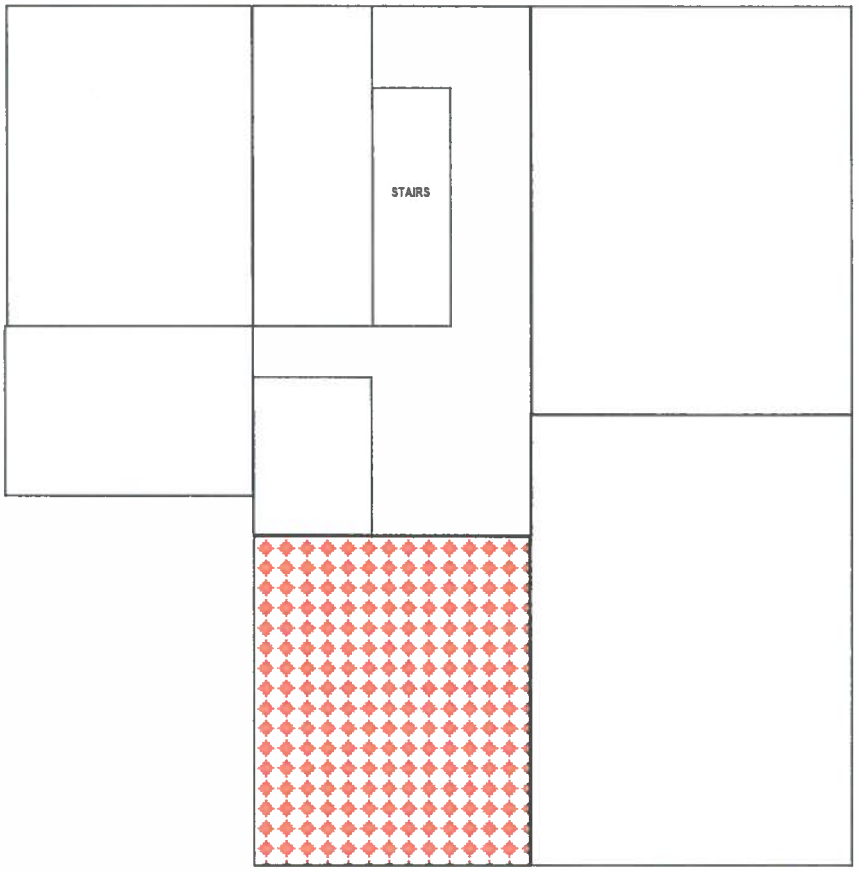
Schematic diagram only Not to scale 14th February 2020	Foster Avenue Site, Mount Merrion, Co. Dublin

HOUSE 1 - ROOF PLAN

	Areas where asbestos cement sheeting was identified
	Areas where asbestos cement downpipes were identified

Schematic diagram only Not to scale 14th February 2020	Foster Avenue Site, Mount Merrion, Co. Dublin

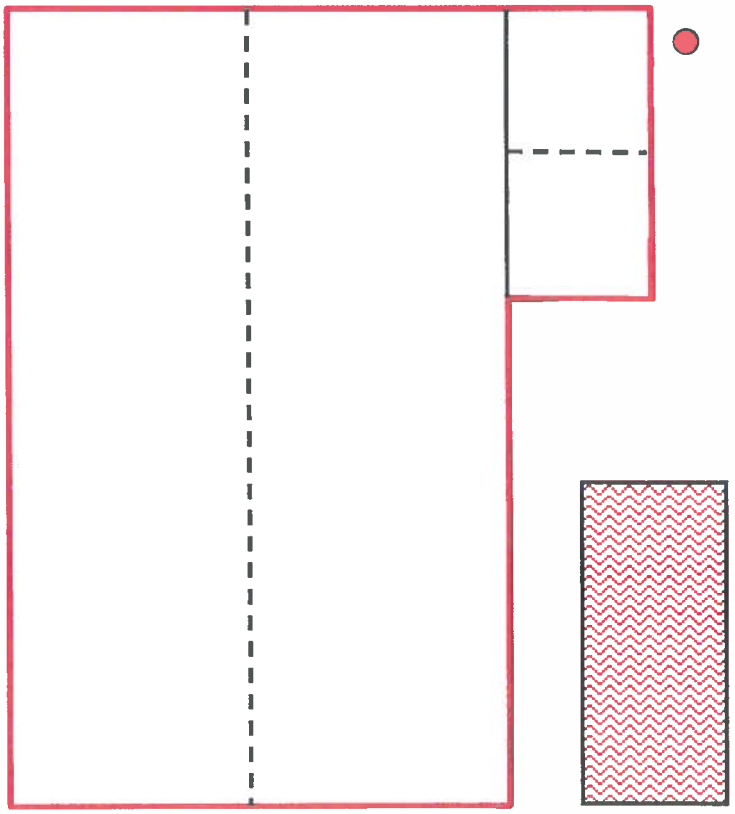
HOUSE 1 – BASEMENT FLOOR PLAN



	Areas where asbestos containing bitumen adhesive was identified (under ceramic tiles)
	Note: asbestos insulation board was identified above radiators on all floors

Schematic diagram only Not to scale 14th February 2020	Foster Avenue Site, Mount Merrion, Co. Dublin

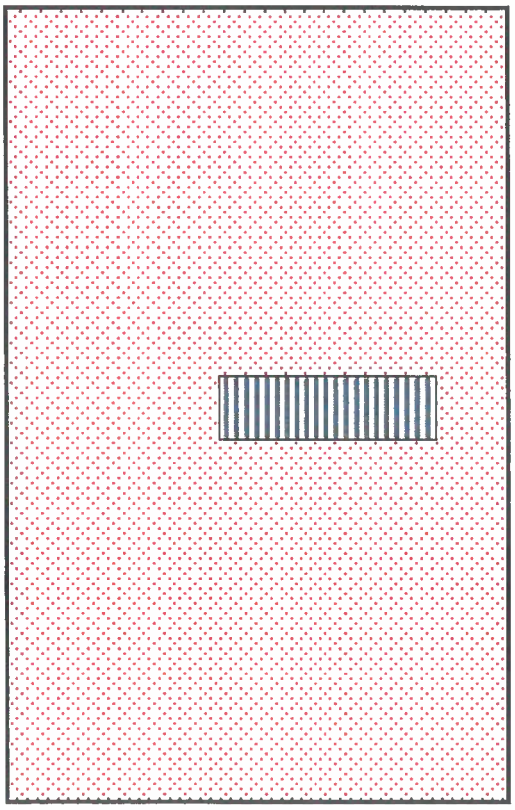
HOUSE 2 – ROOF PLAN



	Areas where asbestos cement fillet slates, soffits, gutters & downpipes were identified
	Areas where an asbestos cement flue pipe was identified
	Areas where asbestos cement sheeting was identified

Schematic diagram only Not to scale 14th February 2020	Foster Avenue Site, Mount Merrion, Co. Dublin

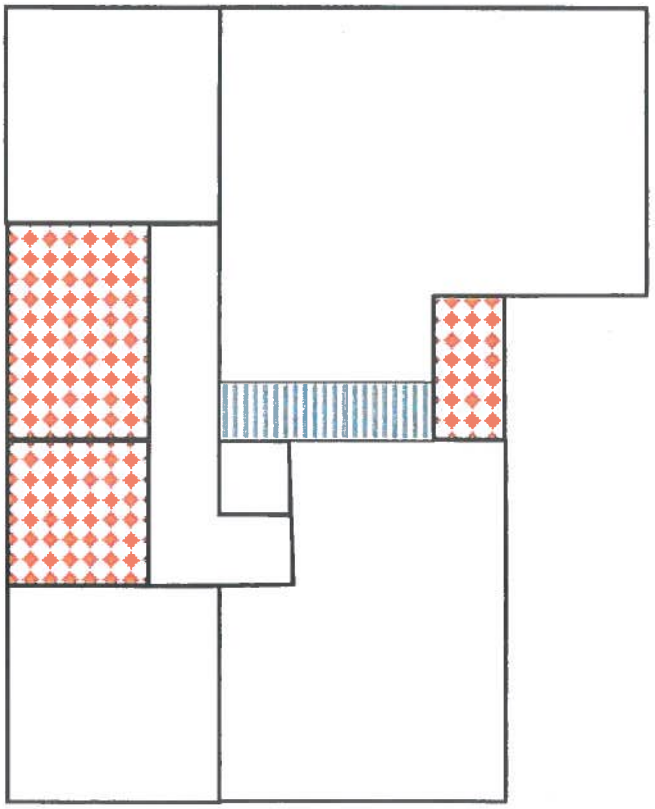
HOUSE 2 – 1st FLOOR / ATTIC PLAN



	Areas where asbestos millboard and cement board debris was identified

Schematic diagram only Not to scale 14th February 2020	Foster Avenue Site, Mount Merrion, Co. Dublin

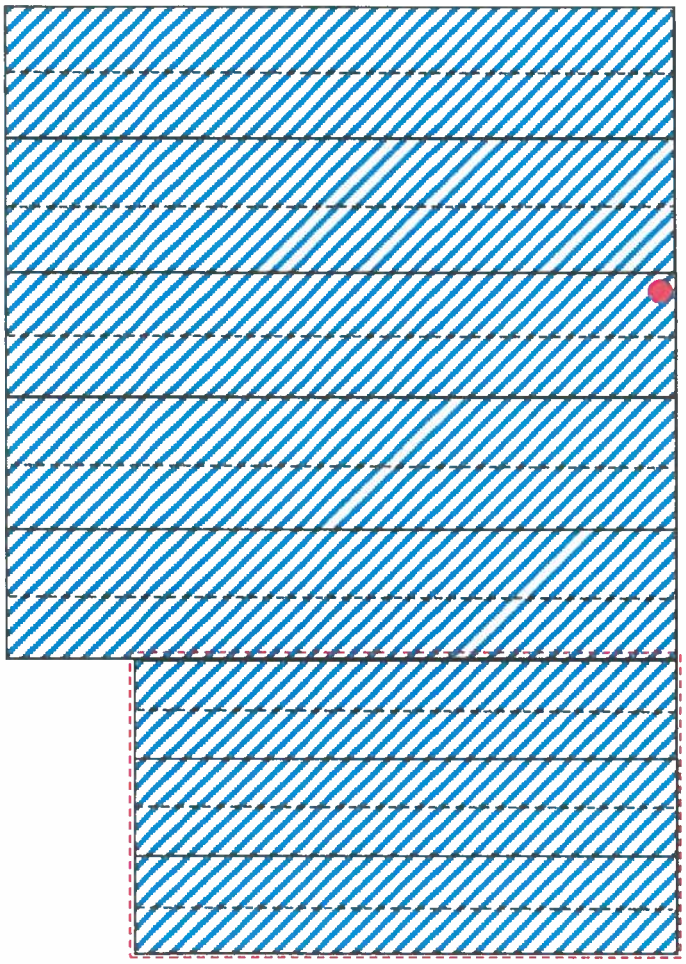
HOUSE 2 – GROUND FLOOR PLAN



	Areas where asbestos floor tiles & bitumen adhesive was identified

Schematic diagram only Not to scale 14th February 2020	Foster Avenue Site, Mount Merrion, Co. Dublin

INSUSTRIAL BUILDINGS - ROOF PLAN



	Areas where corrugated asbestos cement sheeting & associated rainwater goods was identified
	Areas where an asbestos cement flue pipe was identified
	Areas which were over-roofed

APPENDIX 6 – RESPONSE BY BAT ECO SERVICES

DR TINA AUGHNEY

BAT ECO SERVICES, ULEX HOUSE, DRUMHEEL, LISDUFF, VIRGINIA, CO. CAVAN, IRELAND A82XW62

RESPONSES

3rd Party Appeal against decision of Dún Laoghaire-Rathdown County Council ref D20A/0406

Proposed Development: demolition of the existing buildings on the site of a vacant industrial building and 2 no. dwellings, no. 24 Foster Avenue (Glenville) and no. 28 Foster Avenue (Sunnyside), removal of front boundary wall and all associated site works.

Project Name: 24, 26 & 28 Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin

Client Name: Strand Court Limited

3rd Party Appeals from:

No. 1 C. & D Carey
No. 3 R. Hussey (F. Logue)
No. 4 J. Cooper
No. 5 N. Petris
No. 8 E. Connolly
No. 9 D. O'Reilly
No. 11 D. Hayes

THE SECRETARY, AN BORD PLEANALA, 64 MARLBOROUGH STREET, DUBLIN 1.

18th December 2020

To whom it may concern,

Please find below, my response, as bat specialist, to the 3rd Party Appeals against the decision of Dún Laoghaire-Rathdown County Council to grant permission under Ref.: D20A/0406.

There is a large volume of results presented in the bat survey report. The following is the principal results recorded:

- No bats were recorded roosting in Buildings No. 24 and 28.
- A single brown long-eared bat was recorded roosting in a crevice of a wall of Building No. 26. This was deemed as a Day Roost.
- Individuals of soprano pipistrelles and common pipistrelles were occasionally recorded flying in Building No. 26 but static surveillance data support that bats these bats were only using the space during the dark hours of the night and therefore these are deemed as a Night Roost.
- A higher level of bat activity was recorded on the static unit located on the shed in the rear garden of Building No. 28. This reflects recordings of individual bats commuting and occasionally foraging within the survey area during the 2020 static surveys.
- The majority of bat activity recorded by dusk, dawn and static surveys was of commuting bats flying through the survey area.
- The grounds of UCD is considered to be the principal foraging habitat for local bat populations.
- Only one tree proposed to be felled as part of demolition project was deemed to have bat roosting potential.

I outline below a response to each of relevant issues raised by third parties in respect to the bat survey and assessment.

Responses to No. 3 R. Hussey

1. ***Table 4 in bat survey report references Collins, 2016.***
   The information included in Table 4 is based on information presented in Table 4.1 in Collins, 2016. Table 4 of the bat survey report has been designed by the bat specialist, for her reports, to assist tree inspections based on Collins, 2016, as this is a guidance document. Therefore, the information presented in Table 4 of the bat survey report follows the guidance set down in Collins, 2016.

2. ***The bat survey report states that the tree species Cordyline australis does not have potential for bat roosting with no reference for this assertion. 3rd Party Appeal references Sedgely & O'Donnell (2004) as having identified bats in New Zealand using this tree species.***
   This tree assessment was undertaken, taking into consideration, Irish bat species roosting preferences in consultation with the document BTHK, 2018. This publication provides a list of tree species where bats have been recorded roosting and the principal tree species are deciduous tree species such as ash, beach, oak and sycamore, to name but a few. However, as with all tree inspections undertaken for a bat survey, features deemed suitable to provide roosting sites for bats are examined for. All trees present within the survey site were examined for such roosting features and results are presented in the bat survey report.

   Of the nine resident bats in Ireland, eight are are vesper bats and all vespertilionid bats have a tragus (cartilaginous structure inside the pinna of the ear). Such species are typically fissure dwelling bat species and will avail of features such as tree holes, spilt limbs etc. typically found in trees. The eight vesper Irish bat species belong to the genus *Pipistrellus*, *Nyctalus*, *Plecotus* and *Myotis*.

   The New Zealand long-tailed bat (*Chalinolobus tuberculatus* Gray 1843, Vespertilionidae), which is referred to in this 3rd party appeal, is one of only two extant bat species living in New Zealand. It is an endemic species belonging to an Australasian genus which includes five other species (Sedgely & O'Donnell, 1999), none of which occur in Ireland or Europe (Dietz *et al.,* 2011).

   Sedgely & O'Donnell (2004) studied the roosting ecology of the long-tailed bat (*Chalinolobus tuberculatus*) during the spring-autumn months from 1998–2002 at Hanging Rock in the highly fragmented landscape of South Canterbury, South Island, New Zealand. *Cordyline australis* is a tree species native to New Zealand, not Ireland. It is a small evergreen tree with several stout

References

BTHK (2018) Bat Roosts in Trees – A Guide to Identification and Assessment for Tree-Care and Ecology Professionals. Exeter: Pelagic Publishing.

Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edition). The Bat Conservation Trust, London.

Dietz, C., Helversen, O. and Dietmar, N. (2011) Bats of Britain, Europe & Northwest Africa. A&C Black, London.

Kelleher, C. & Marnell, F. (2006) Bat Mitigation Guidelines for Ireland. Irish Wildlife Manuals, No. 25. National Parks and Wildlife Service, Department of Environment, Heritage and Local Government, Dublin, Ireland.

Sedgeley, J.A. & O'Donnell, C.F.J. (2004) Roost selection by the long-tailed bat in South Canterbury: examining predictions of roost-site selection in a highly fragmented landscape. New Zealand Journal of Ecology 28 (1): 1-18.

Sedgeley, J.A. & O'Donnell, C.F.J. (2004) Roost selection by the long-tailed bat, *Chalinolobus tuberculatus*, in temperate New Zeland rainforest and its implications for the conservation of bats in managed forests. Biological Conservation 88: 261-176.

Contact Details:
086 4049468
tina@batecoservices.com

Licenced Bat Specialist:

NPWS licence C13/2020 (Licence to handle bats, expires 31st December 2022)

NPWS licence 08/2020 (Licence to photograph/film bats, expires 31st December 2022)

NPWS licence DER/BAT 2019-138 on expiry (Survey licence, expires 29th March 2022).

branches arising from a single trunk. Leaves long, sword-shaped, in dense clusters at the branch tips. This tree species forms part of indigenous shrubland of New Zealand. The study area for this research paper, Hanging Rock, South Canterbury, South Island, New Zealand, is a rural area of extensive limestone and sandstone bluffs with woodland, forestry, shrubland along the Opihi River.

3. **Classification of impacts is arbitrary & Bat Boxes.**
A large volume of survey work was undertaken for this bat survey to allow an assessment of the potential impacts of proposed works. Such survey results allowed the author to classify the roost status and therefore the potential impacts with reference to Kelleher & Marnell, 2006. As a consequence, the mitigation measures were designed relative to the roost status. A day roost for an individual brown long-eared bat and night roosts for individual common and soprano pipistrelles were identified. As a consequence, the provision of bat boxes is deemed suitable. The bat boxes selected are suitable for the named bat species and they will be located to ensure that they are available for local bat populations during the demolition works and thereafter. In addition, timing constraints in relation to demolition works and the provision of monitoring areas provided as extra measures.

4. **Derogation Licence**
The NPWS derogation licence is valid and is based on an appropriate bat survey assessment report undertaken by a qualified ecologist to identify where disturbance to an Annex IV species may exist. The application was based on extensive survey results that documented the bat species present, status of roosts recorded, commuting and foraging area and the level of bat activity. The provision of suitable alternative roosts is provided and will cater for the bat species recorded.

   The application for the NPWS Derogation Licence to permit the demolition works included all information relating to both applications in order to allow NPWS to make an informed decision. The application provided details with regards to timing, procedure and bat specialist supervision before and during demolition, including surveying recommendations.

   The derogation is not detrimental to the maintenance of the populations of the bat species recorded as there is the provision of alternative roosting measures and demolition timing constraints and bat specialist supervision and survey requirements during demolition.

   In respect to the legal status of the Derogation Licence, we note that the High Court has recently confirmed in Highland Residents

Association & Anor. v An Bord Pleanála [2020] IEHC 622 that a grant of planning permission does not obviate the need to comply with the requirements of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477 of 2011). The derogation licence which has been sought in this case was granted on 28 September 2020 (DER/BAT 2020-93) and is valid the 1st of October 2020 to 1st October 2022. The derogation licence is permissible under the 2011 Regulations which in turn transpose Article 16 of the Habitats Directive. As the derogation licence has not been challenged, the applicant for permission is entitled to rely on it and the Board is entitled to have regard to it.

Responses to J. Cooper

5. **Assessment as early as possible in the design stage**.
Three years of bat survey work was undertaken and considered in the design process with extensive consultation across the multi-disciplinary design team. Therefore, the assessment procedure meets the recommendations of Kelleher & Marnell, 2006.

6. **Bat mitigation guidelines in relation to bat roosts.**
The 3rd party appeal suggests that the bat roosts identified should be replaced on a like for like basis and monitored for 2 years. This requirement, according to Figure 21 of Kelleher & Marnell, 2006 is a requirement for maternity roosts for rarer bats species. A large volume of survey work was undertaken for this bat survey to allow an assessment of the potential impacts of proposed works. Such survey results allowed the author to classify the roost status and therefore the potential impacts with reference to Kelleher & Marnell, 2006. As a consequence, the mitigation measures were designed relative to the roost status. A day roost for an individual brown long-eared bat and night roosts for individual common and soprano pipistrelles were identified. Therefore, the provision of bat boxes is deemed suitable. The bat boxes selected are suitable for the named bat species. In addition, timing constraints in relation to demolition works and the provision of monitoring are provided as extra measures.

Response to appeal by N. Petris is addressed by No's 3 and 6 respectively above.
Response to appeal by D. Hayes is addressed by No's 3, 4 and 6.
Response to appeal by E. Connolly is addressed No's 3 and 4.
Response to appeal by D. O'Reilly is addressed by No's 3, 4 and 6.
Response to appeal by C. & D. Carey is addressed by No. 4.

If you require any further information please do not hesitate to contact me.

Sincerely,
Dr Tina Aughney

APPENDIX 7 – EIA SCREENING STATEMENT

Introduction

The proposed development does not fall within the mandatory requirements for EIA as set out in the Planning and Development Act 2000, as amended, and Schedule 5 Part 1 of the Planning and Development Regulations 2001-2020 (the Regulations). Therefore, an EIA is not required, as discussed further below. The purpose of this statement is to set out the information necessary to enable the Planning Authority to carry out a screening for EIA.

Directive 2014/52/EU has been transposed into Irish Legislation through the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which came into operation on the 1st of September 2018. Directives 2011/92/EU and 2014/52/EU are now fully transposed into Irish law under the Regulations.

The methodology employed in this screening exercise is in accordance with the Act, the Regulations, in particular the Schedules thereto, and the EIA Guidelines published in August 2018 by the DoHPLG.

EIA Thresholds

Schedule 5 of the Planning and Development Regulations 2001-2020 sets out the thresholds for which if a project exceeds, must be subject to an Environmental Impact Assessment.

Part 2 of Schedule 5 lists the following developments and thresholds that may be relevant to the proposal:

'10. Infrastructure projects –

(b) (i) Construction of more than 500 dwelling units;

(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere;

(In this paragraph, 'business district' means a district within a city or town in which the predominant land use is retail or commercial use).

14. Works of Demolition
Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

15. Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.'

The proposal does not relate to the construction of dwellings and therefore it does not fall within the threshold of 500 dwelling units specified in class 10(b)(i) of Schedule 5, Part 2.

The application site area is circa 0.60 hectares and is therefore significantly below the 10 hectare threshold for urban development in a built up area as set out above. The application site is not located in a 'business district' where the 2 hectare threshold applies. Therefore,

mandatory Environmental Impact Assessment is not required in this instance for a built up area specified in class 10(b)(iv) of Schedule 5, Part 2.

Schedule 5, Part 2, class 14 relates to works of demolition and class 15 is intended to encompass any below-threshold project of a class specified in Schedule 5 Part 2 which is considered likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7 of the Regulations, namely (i) the characteristics (ii) location and (iii) nature and duration of the anticipated impacts arising from the proposed development. We outline below why the proposed demolition will not result in significant effects on the environment therefore demonstrating that a sub-threshold EIAR is not required.

EIA Screening Report

It is considered that the information submitted as part of the planning application is sufficient to enable the Board to carry out a preliminary examination and reach a definitive conclusion that there is no real likelihood of significant effects on the environment arising from the proposed development. In addition, as noted above additional information is also provided as part of the appeal. In this respect, the Board is referred to the following information (furnished in accordance with Schedule 7A, and taking account of the criteria in Schedule 7, of the Regulations):

Table 1: EIA Screening Statement

1. A description of the proposed development, including in particular—	
(a) A description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and	See Section 3 above and Section 4 of JSA Cover Letter
(b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.	See Section 2 above and Section 2 of JSA Cover Letter, the Information for Screening for Appropriate Assessment and the Ecological (Biodiversity) Appraisal, and Landscape and Arboricultural Statement prepared by Brady Shipman Martin, and the Bat Assessment prepared for Proposed Demolition Application prepared by Bat Eco Services.
2. A description of the aspects of the environment likely to be significantly affected by the proposed development.	See JSA Cover Letter the Information for Screening for Appropriate Assessment and the Ecological (Biodiversity) Appraisal and Landscape and Arboricultural Statement prepared by Brady Shipman Martin, and the Bat Assessment prepared for Proposed Demolition Application prepared by Bat Eco Services, Architectural Heritage Assessment prepared by IAC Archaeology, Structural Inspection of Existing Buildings Report prepared by DBFL Consulting Engineers

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—	
(a) the expected residues and emissions and the production of waste, where relevant, and	We refer to the Outline Demolition Plan prepared by Park Developments, the Demolition Waste Management Plan prepared by AWN, and the Preliminary Demolition Management Plan prepared by DBFL.
(b) the use of natural resources, in particular soil, land, water and biodiversity.	We refer to the Information for Screening for Appropriate Assessment and the Ecological (Biodiversity) Appraisal and Landscape and Arboricultural Statement prepared by Brady Shipman Martin, Structural Inspection of Existing Buildings Report prepared by DBFL Consulting Engineers

The proposed development site comprises a residential property at No. 28 Foster's Avenue (Glenville), a 2 storey house and associated gardens at No. 24 Foster's Avenue (Sunnyside) and a separate property containing disused industrial buildings (former Glenville Industrial Estate). There is a substantial number of mature trees within the residential site and on the boundaries of the industrial site. The site has frontage and vehicular access points to Foster's Avenue. The site is surrounded by residential properties at Foster's Avenue, The Foster's and St. Thomas' Road. The Eastern By-Pass Motorway Reservation runs to the north of Foster's Avenue and extends onto lands on the opposite side of the road from the development site, within the UCD campus. The proposed demolition would facilitate an infill site within an existing built up area to deliver high quality residential accommodation at an accessible location off the N11 QBC. This accords with Section 2.1 of the DLRCC Development Plan which encourages the re- use of brownfield site in areas already served by public transport and close to established social and community infrastructure. There are no anticipated cumulative effects arising from the proposed development in combination with other existing or permitted developments.

There may be possible short-term nuisances to human beings from noise and dust during the construction phase. The Outline Demolition Plan submitted with the application outlines an overview of measures to avoid or reduce impacts, this is also supplemented by the Preliminary Demolition Management Plan which outlines further details on the strategies and measures or reduce any such impacts such that they may be considered negligible or insignificant.

This Preliminary Demolition Management Plan also includes an outline Traffic Management Plan to avoid or reduce demolition-related traffic during the construction phase and no significant effects are anticipated.

The subject lands are brownfield and located in a suburban context. The Ecological (Biodiversity) Appraisal assesses the impact of the proposed development on biodiversity and a Bat Assessment (as revised as part of the FI Response) prepared by Bat Eco Services assesses the impact of the proposed development on bats. As part of the demolition works, it will be necessary to remove 21 no. trees. We refer to the Landscape and Arboricultural

Statement for further details. This confirms given the existing context, and condition of the trees to be removed, the overall impact of the proposed tree removal on the tree population is considered to be negligible. The proposals for tree removal have been considered by the Ecologist and Bat Specialist and it is considered that the proposed limited removal will not give rise to any significant impacts on existing biodiversity or bat populations.

The Ecological (Biodiversity) Appraisal concludes that a number of bat boxes will be installed and all the retained trees will be fully protected to ensure that there are replacement roosting opportunities for bats on the site and that bat commuting and foraging activity through the site is not impacted by the proposed demolition works. It states "*there will be no long-term residual impact on any ecological receptors, either within or in the vicinity of the site, or associated with any site designated for nature conservation as a result of the proposed demolition works.*"

The Bat Assessment provides detailed survey and outlines a low-medium level of bat activity of common pipistrelles, soprano pipistrelles and Leisler's bats was recorded, while a low level of brown long-eared bat activity was recorded. A day roost for a single brown long-eared bat and a night roost for common and soprano pipistrelles was recorded in Building No. 26. No roosting sites were recorded in Buildings No. 24 and 28. Therefore the proposed demolition of Building No. 26 will result in the loss of a day roost and night roosts. However, mitigation measure will provide alternative roosting sites for these bat species. In terms of the proposed felling of a small number of trees, only one was deemed to have roosting potential for bats. The proposed artificial roosts, as part of bat mitigation measures, will provide alternative roosting site for local bat populations. The treelines located between Buildings 26 and 28 and along the boundary of Building 28 will be retained and protected as part of the demolition project. This will ensure that treelines are present for commuting bats post-demolition works.

The Bat Assessment concludes *"In relation to the bat evidence collected by this report, it is deemed that the bat populations recorded within the survey area are of Local Importance. A number of mitigation measures have been provided to reduce impact on bats during demolition of buildings and removal of trees. Therefore, the proposed demolition will likely have a Minor Negative impact on local bat populations."*

The Information for Screening for Appropriate Assessment concludes "*In view of best scientific knowledge this report concludes the proposed development (demolition works) at the Foster's Avenue site, individually or in combination with another plan or project, is not likely to have a significant effect on any European sites. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.*

It is considered that this report provides sufficient relevant information to allow the Competent Authority (Dun Laoghaire-Rathdown County Council) to carry out an AA Screening, and reach a determination that the proposed development will not have any likely significant effects on European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives."

The subject lands are brownfield land. There are no likely significant effects on land, soils or geology / hydrology. The Structural Inspection of Existing Buildings prepared by DBFL Consulting Engineers submitted as part of the FI Request confirms there is no requirement for any significant excavation during demolition and as a result any existing infrastructure, both surface water and foul, will remain undisturbed and current drainage pathways intact. This is also confirmed by the Preliminary Demolition Management Plan prepared by DBFL. Therefore, there are no likely effects on any surface or ground water bodies.

The Preliminary Demolition Management Plan outlines proven strategies and measures to avoid or minimise the emissions of dust during the demolition phase. This also outlines that asbestos removal works will be carried out in accordance with S.I. No.386 of 2006 Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006-2010. Due to the location of the proposed development 'Air Monitoring' onsite will be carried out by an independent analytical company during the removal works to ensure there is no elevated levels of asbestos fibre release.

The Preliminary Demolition Management Plan outlines proven strategies and measures to avoid or minimize noise and vibration during the Demolition Phase. There are no likely significant effects from demolition related noise or vibration, and it is noted that any such effects will be of a limited duration.

The proposed development will not impact on any designated views within the DLR CDP. The existing buildings on the subject site are vacant and in a semi-derelict state, and they are gone beyond repair due to structural defects. At present these structures detract from the appearance of the area and have an adverse impact on the residential amenity of adjacent properties. Demolition of the existing building is considered necessary due to their poor condition and to address health and safety concerns if the structures are not removed. There will be no significant effect on the receiving landscape.

As the application relates to demolition only, with no significant excavation, no negative impact on the on the archaeological resource is predicted. Furthermore, an Archaeological Assessment prepared by IAC for the residential application confirms that the subject site has been subject to extensive development in the past and it is likely that any potential archaeological deposits within the site have already been removed by these works.

An Architectural Heritage Assessment prepared by IAC is submitted with the application in relation to no. 24 Foster's Avenue, and this assessment states *'no basis can be found on which this building should be considered to be of architectural heritage significance'*.

Conclusion

In conclusion, it is considered that an EIA is not required to be submitted with the application for planning permission for the following reasons:

- The proposed development does not come within any class of project for which EIA is required under Schedule 5 Part 1 of the Regulations
- The proposed development is significantly below threshold for any of the potentially applicable classes of project under Schedule 5 Part 2
- As the information submitted with this application demonstrates, there is no likelihood of any significant effect on the environment arising from the proposed development, having regard to the criteria set out in Schedule 7, and therefore Schedule 5 Part 2 class 14 and class 15 are not applicable.

APPENDIX 8 – ARCHITECTURAL HERITAGE ASSESSMENT PREPARED BY IAC ARCHAEOLOGY

IAC Archaeology

ARCHITECTURAL HERITAGE ASSESSMENT
24 FOSTER'S AVENUE
MOUT MERRION, BLACKROCK
CO. DUBLIN

ON BEHALF OF: STRAND COURT LTD

AUTHOR: ROB GOODBODY

AUGUST 2020

IRISH ARCHAEOLOGICAL CONSULTANCY LTD
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ABSTRACT

Irish Archaeological Consultancy Ltd has prepared this report on behalf of Strand Court Limited to study the impact, if any, on the architectural heritage resource of the proposed demolition of number 24 Foster's Avenue, Mount Merrion, Blackrock, Co. Dublin ((ITM 719204/729449). The report was undertaken by Rob Goodbody of IAC Ltd.

The historical background shows that number 24 Foster's Avenue was built in about 1937 as part of the development of houses along this side of the road. The house had a substantial tract of land that was used initially as a riding school, then as a nursery, before being developed as a commercial estate in the late 1950s.

The house is not a protected structure and it is not in an architectural conservation area.

The building survey shows that the house has been extended on more than one occasion since it was built. In its present form there are several inadequacies in the accommodation, including narrow staircases, inadequate space for passing the stairs on the landing and, above all, the lack of natural light in some of the rooms in the basement. A number of rooms in the house have Adamesque decoration on the ceilings and some of the walls, this being carried out in an applied material such as papier-mâché, some of which is separating from the walls or ceilings. There is also a quantity of wrought iron work inside and outside the building.

In assessing the building no basis can be found on which this building should be considered to be of architectural heritage significance.

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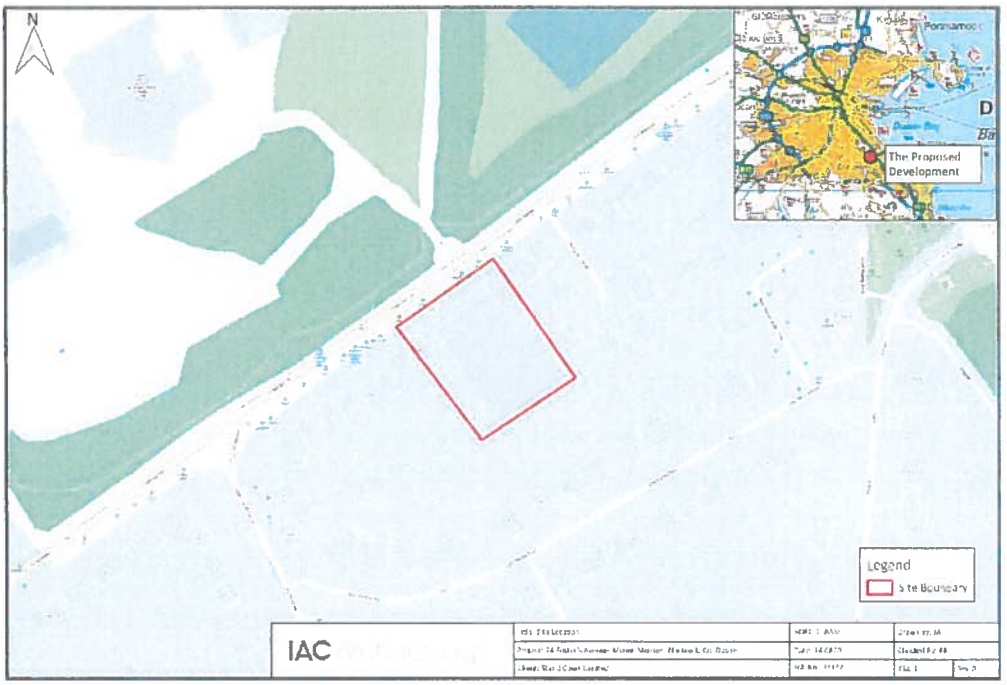


Figure 1: Site location

1 INTRODUCTION

1.1 GENERAL

This report has been prepared as an assessment of the architectural heritage significance of a house at 24 Foster's Avenue, Booterstown, Dublin 4 (ITM 719204/729449). The house is part of a larger site that includes a second house at 28 Foster's Avenue and a substantial range of industrial buildings. The site is on the southern side of Foster's Avenue and has a street frontage of 72 metres and extends back 87 metres from the frontage.

1.2 THE DEVELOPMENT

The proposed development will consist of the following:

- Demolition of the existing buildings on site consisting of a vacant industrial building and 2 no. dwellings, No. 24 Foster's Avenue (Glenville) and No. 28 Foster's Avenue (Sunnyside), removal of front boundary wall, and associated works;
- Construction of 72 no. apartments in three no. buildings of part one, part three and part four storey heights, over basement;
- Block A comprises 15 no. 2 bed units in a part three to part four storey building, above basement level;
- Block B comprises 6 no. 1 bed units and 23 no. 2 bed units in a part one to part four storey building, above basement level;
- Block C comprises 4 no. 1 bed units, 22 no. 2 beds and 2 no. 3 bed units in a part one to part four storey building, above basement level;
- Balconies and/or private terraces are provided for all apartments;
- The proposal includes communal open space areas and a single storey communal amenity building of 99 sq.m;
- The basement level contains 85 no. car parking spaces, 4 no. motorcycle spaces, and 135 no. cycle spaces. The basement level also includes bin storage and plant rooms.
- The proposal includes 36 no. cycle parking spaces at surface level, 2 no. set-down car parking spaces at surface level, and associated vehicular, pedestrian and servicing access from Foster's Avenue;
- The proposal includes an ESB substation and switchroom, landscaping, boundary treatment, lighting, PV panels to apartment building roofs, site services and all associated site works.

This report is not concerned with the house at number 28 or with the industrial buildings and is confined to the assessment of the house at number 24 Foster's Avenue.

2 HISTORICAL BACKGROUND

Foster's Avenue was probably laid out in the early eighteenth century when Mount Merrion House was built by Viscount Fitzwilliam. Until then the Fitzwilliam family had been based at Merrion Castle, on the site of St Mary's Home for the Blind on Merrion Road. The new house, which they named Mount Merrion in honour of their former castle, was never completed, but extensive avenues were laid out as part of the landscaping, including Mount Merrion Avenue, Cross Avenue, North Avenue and Foster's Avenue.

The name Foster's Avenue was given to the road later in the century, when a house named Merville was built for Rt Hon Anthony Foster, with its gateway opening onto Foster's Avenue. The house was later the home of his son, John Foster, who was the last speaker of the Irish House of Commons.

Through the eighteenth and nineteenth centuries Foster's Avenue remained free of development along its length other than the gates to Merville on the northern side and, near the western end, the construction of Owenstown House. In 1874 St Thomas's Church was built at the eastern end on the southern side as a chapel of ease to the Church of Ireland parish of Taney.

In 1927 the Mount Merrion Estate was sold for development. The new houses built on the land included the southern side of Foster's Avenue. Amongst those building houses along this road was a builder named J B Ralph. The Ralph family also kept cattle on the land until 1938.

In about 1937 Mr Ralph built a house which he called Glenville. It is not clear whether there were two J B Ralphs – father and son. During the period in which J B Ralph, builder, was building houses in Foster's Avenue either he or his son was studying medicine, qualifying in 1942.

The Ralph family kept an area of land adjacent to Glenville and used it as a riding school in the late 1930s. However, with the outbreak of the Second World War and the declaration of Emergency in Ireland, the growing of food was encouraged by the government and J B Ralph turned the riding school lands into a market garden or nursery. Dr Ralph ran the nurseries until 1956, when he closed them down and sold the glasshouses and equipment, following which the former nurseries were developed as a warehouse estate or an industrial estate. The sheds on this land have been occupied by a wide variety of businesses over the years.

The houses in Foster's Avenue were known only by their names until the early 1960s, when they were allocated numbers. Glenville was number 12. Almost immediately the numbering was changed, and Glenville became number 24 Foster's Avenue.

Dr Ralph moved from number 24 Fosters Avenue in the early 1970s.

3 CONSERVATION STATUS

3.1 PROTECTED STRUCTURES

Number 24 Foster's Avenue is not a protected structure and there are no protected structures adjacent. Merville, on the opposite side of the road, is protected, including its gateway, which is nearly opposite number 24. St Thomas's Church and Owenstown House, at either end of Foster's Avenue, are protected but are at a considerable distance from the application site.

3.2 CONSERVATION AREAS

The application site does not lie within an architectural conservation area and there are no architectural conservation areas in the vicinity.

3.3 NATIONAL INVENTORY OF ARCHITECTURAL HERITAGE

The National Inventory of Architectural Heritage has not yet published a survey of the Mount Merrion area.

4 BUILDING SURVEY

4.1 EXTERIOR

Plate 1: Front façade of number 24

Number 24 Foster's Avenue is a two-storey over basement, three-bay house on the southern side of the road. The house is set back from the road behind a high wall and a front garden. Ground level in the front garden is significantly lower than the land outside the boundary. The house is built of concrete and is painted.

The roof is gable ended with crow-step gables. On one side a chimney rises slightly to the front of ridge level from the gable, while on the other side a chimney is located to the rear of the ridge and the stepped gable rises to ridge level. The roof is clad with green-grey pantiles and a dormer runs the full width of the house, with uPVC casement windows and with the stepped gable rising to meet the top of the dormer.

At entrance level there is a raised veranda running the width of the façade, supported on steel posts and roofed with reinforced glass. The front doorway has a segmental head and is wide, with double-leaf hardwood glazed doors with an outer screen of wrought iron. On either side there are steel casement windows with wrought-iron screens.

Below the veranda there is a series of rectangular openings with wrought-iron grilles. Beyond these openings there is a narrow space beneath the veranda, to the rear of which is the front wall of the house with horizontal windows. Flights of concrete steps rise up at either end of the veranda to access the front door.

Plate 2: Rear elevation

At the rear of the house the basement is at ground level. The rear elevation is three-bay with a central breakfront that diminishes on the upper floor. At basement level the windows and doors are of hardwood, much faded and damp stained. The entrance level windows are timber casements and are guarded by wrought-iron screens. On the upper floor is a substantial glazed area seated on a parapet. The concrete façade is painted with inappropriate paint, with water trapped behind it in places, while elsewhere it is peeling off.

Plate 3: View of house from the street

The property is bounded to the front by a moderately high wall. The wall is of concrete and painted, with piers at intervals, those to the front of the house being of brick, the others plastered and painted.

4.2 INTERIOR

Plate 4: Entrance hall

The internal fit-out includes significant areas of stained and varnished timber, including plywood panelling in the entrance hall and the doors and their architraves. The floors in the principal rooms have polished parquet flooring. Many of the rooms have applied detailing on the ceilings and on some walls, generally in imitation of Adam-style plasterwork. These are applied in some form of material such as papier-mâché.

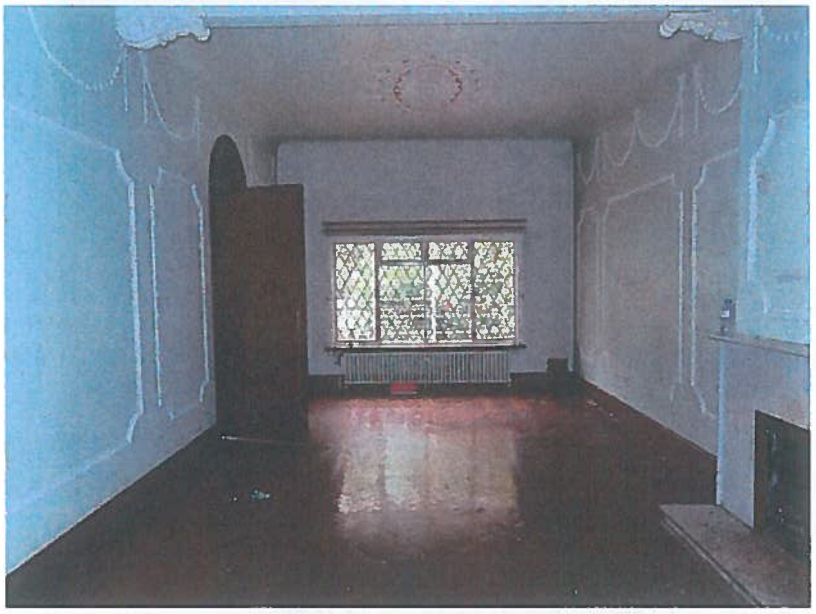


Plate 5: Main reception room

The main reception room runs the full depth of the original house and has a plethora of applied decoration. The fireplace is off-centre towards the rear.

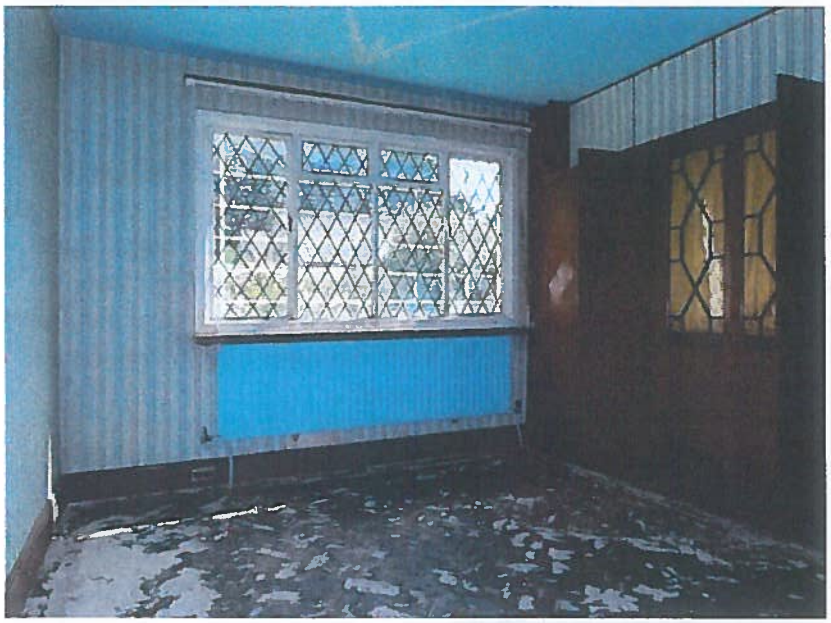


Plate 6: Room in rear of house

The rear section of the house appears to be a later addition and has an uncomfortable relationship with the front, necessitating the use of borrowed light. There is damp penetration into parts of this rear section. Built-in storage and shelving is generally carried out in fair-faced blockboard and varnished.

Plate 7: Rear room with damp in ceiling.

The stairway to the basement has open treads, without risers, and is uncomfortably narrow. This is exacerbated by the addition of a handrail, though this is needed, given the steepness of the flight. The balustrade is of wrought iron, supporting a dark timber handrail and terminating in a plain dark timber newel.

Plate 8: Stair to basement

Plate 9: Basement room

The rooms at the front of the basement have poor natural light. The windows to the front are small and horizontal and open into the dark area beneath the veranda. There is rising damp at this level. The photograph above shows one of the two rooms at the front of the basement with the small window to the front. A window to the side, seen at left, also opens into a narrow space that is poorly lit. There are no windows to the rear of this room.

Plate 10: View to rear of front room in basement

The photograph above show the larger room in the basement. This is lit by the small window to the front and without a side-facing window. At the rear of the room the later addition obstructs the light, offering only borrowed light through the glazed door and internal window.

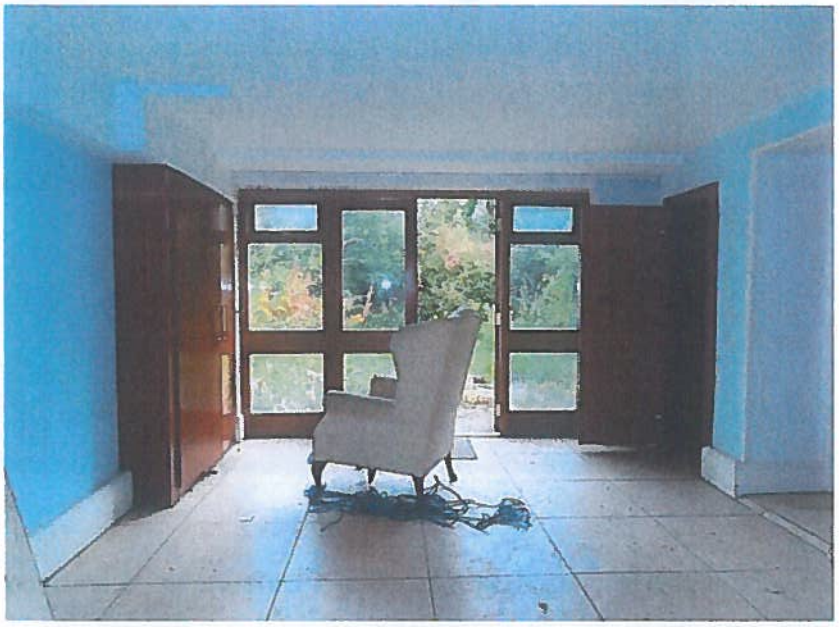


Plate 11: Rear room at basement level

The rear rooms in the basement include the kitchen and the use of dark timbers continues in this area. This is part of the later addition and in the room pictured above the extension spans a drain, with a manhole set into the floor. There is damp in this area.

The stairway to the upper floor is of stained and varnished timber with a wrought-iron balustrade terminating in a plain timber newel. The stained plywood panelling continues part-way up the stairs, though stepped. This stair is relatively narrow, though not as narrow as the stair to the basement.

Plate 12: Stair to upper floor

Plate 13: Top of main staircase

The main staircase turns at the top through a number of winders. There are rooms to the front of the staircase and to the rear. Access from the front rooms to the rear passes the top of the stair in an awkward and unsafe manner, with the wall to the left in line with the top of the stair, then turning to the left to run on a very narrow shelf to pass the steps.

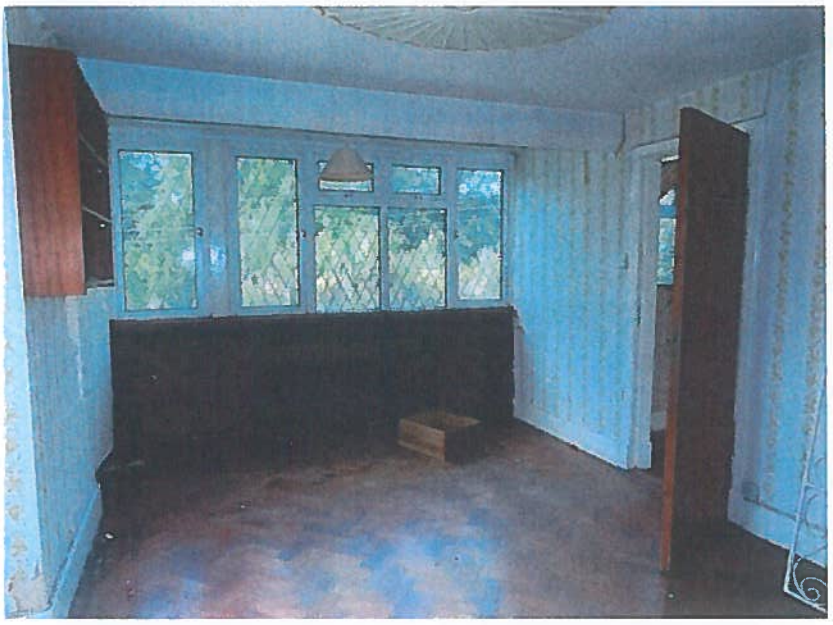


Plate 14: Room at front of first floor

The two rooms at the front of the upper floor are lit by uPVC windows spanning the width of the rooms. The floors have a covering of parquet.

Plate 15: Rear of bedroom

At the rear of this room, on the western side of the upper floor, is an en-suite bathroom and a walk-in wardrobe, all executed in dark-stained and varnished timber.

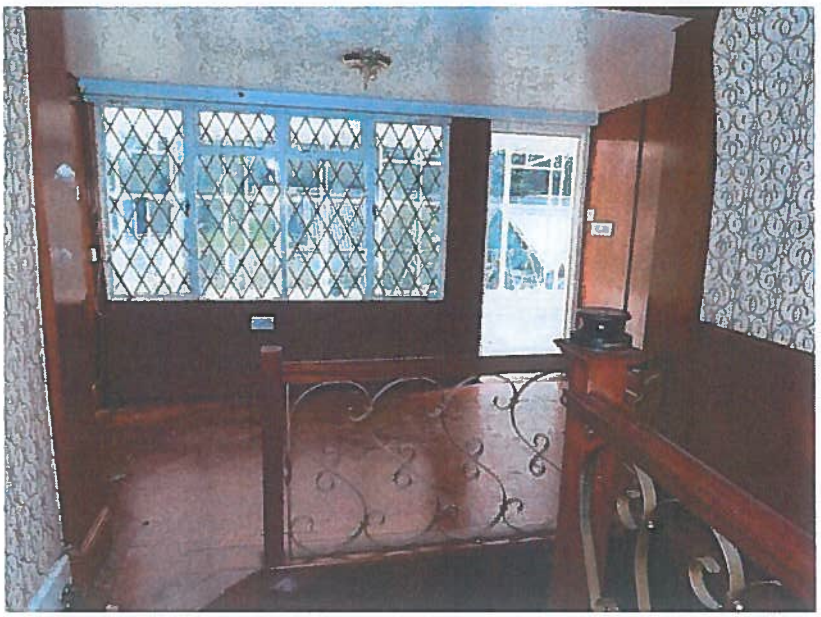
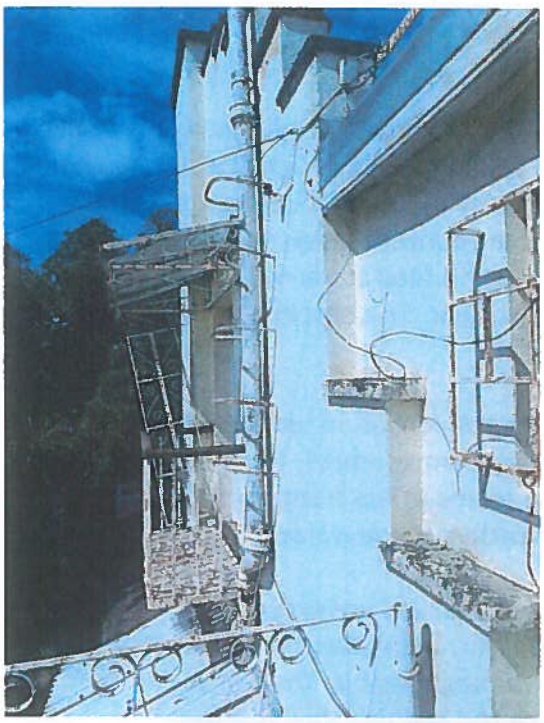


Plate 16: View to rear of landing

At the rear of the first-floor landing is a spacious area that results from the construction of a first-floor rear extension into what was originally the rear roofspace. It is lit by windows and a doorway crossing the full width.

Plate 17: Sunroom at rear

Across the entire width of the house at first-floor level is a glazed sunroom. This is glazed on three sides and in the roof. This was initially an open balcony over the rear extension, with a wrought-iron balustrade, prior to being enclosed.



The adjacent photograph shows the upper part of the western side of the house as seen from the sunroom. The stepped gable is seen and continues at the side of the room nearest to the camera, indicating that the roof originally sloped down in a similar way to the front slope and that the rear of the house was later raised up as an extension. The high step seen at the far side of this extension suggests that there would have been a dormer across the rear similar to that at the front.

Plate 18: Side of house

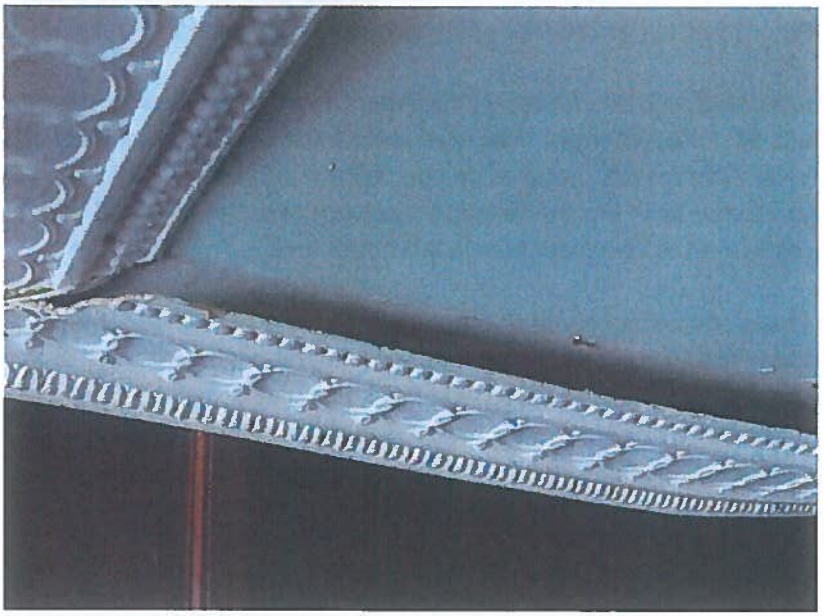


Plate 19: Detail of applied decoration

It was noted above that some of the applied decoration is parting from the ceiling. The photograph above shows an example.

5 ASSESSMENT

The house at number 24 Foster's Avenue is unusual. It is possible that this results from piecemeal additions over the years which have added space to the house, often with consequent disadvantages. The house was probably a dormer bungalow when first built, the high steps in the gables suggesting that the dormer was an original feature. It is clear, though, that a two-storey extension has been added at the rear, with a further extension into the former roof space on the first floor. The covering in of the large balcony on the first floor was a further addition.

The first problem is the veranda to the front. This introduces an unusual approach to the front door and removes privacy from the adjacent windows. Most significantly, however, it blocks almost all of the light to the rooms at the front of the basement. When the rear extension was added this made matters all the worse.

The staircases are substandard. The stairs to the basement are exceptionally narrow, as well as being steep and descending in a single flight. The stairs to the upper floor are also narrow, though not exceptionally so. The arrangement at the top of the stair, where there is merely a narrow shelf to pass the top and this shelf is offset from the main approach, is wholly inadequate and is probably dangerous.

The decorative style of the house is defined by three recurring elements – the prominent use of curled wrought iron, the prevalence of dark timber fittings and the extensive use of Adamesque features on the ceilings and some walls. The style of the wrought iron clashes with the Adamesque features and there would seem to be no circumstances when the two would look right together.

In essence, I can see nothing about this house that would warrant it being retained and certainly nothing that would warrant its protection. The particular style of the house is a matter of the personal taste of those who have occupied it over the years; that is their choice and I respect it. However, the taste displayed in this house is not such as to warrant its protection in any way and neither is the overall design and construction of the building.

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