

The Secretary  
Planning Department  
South Dublin County Council  
County Hall Tallaght  
Dublin 24  
D24 YNN5



14 September 2021

**Re: South Dublin County Council Ref. SD21A/0101 - ADDITIONAL INFORMATION - Application for Permission for the construction of a residential development comprising a total of 28 apartments, in a building up to 4-storeys in height; the cumulative gross floor area is proposed to be 2,640sq.m on the site located at Nutgrove Avenue, Rathfarnham, Dublin 14.**

Dear Sir/Madam,

We act on behalf of the applicant Sirio Homes and have been requested to coordinate and submit the additional information response for planning ref: SD21A/0101, in relation to Nutgrove Avenue, Rathfarnham (the Site).

We wish to respond to the Council's request for additional/further information dated 21<sup>st</sup> June 2021. In the interests of clarity, we will respond to the items in the Council's additional information request in the order they were requested:

- 1. The Roads Department has raised concerns with the proposal from a traffic and pedestrian safety perspective and on the accessibility of the site for emergency vehicles. Given these concerns and the heavily trafficked nature of Nutgrove Avenue, the applicant is requested to submit the following:***

***(1) A Traffic and Transport Assessment that takes into account the impact of the proposal on the surrounding area and has regard to existing and proposed developments.***

***(2) A revised layout of not less than 1:100 scale, showing a swept path analysis drawing (i.e. Autotrack or similar) demonstrating that fire tenders and large vehicles can access/egress the site.***

***(3) The footpath to the front of the development is split between a proposed walkway and the existing public footpath. This may lead to pedestrian confusion and lead to a traffic hazard, particularly at the proposed vehicle access. Where the proposed footpath enters the carriageway before the stop line it should be possible to develop a combined pedestrian walkway across the front of the development to create a greater than 1800mm wide footpath. A revised layout is requested showing pedestrian routes within and to the front of the development. (a) The minimum***

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**width of footpaths should be 1.8m wide to aid mobility impaired users. (b) The footpath layout should provide adequate connectivity around the development and footpaths on the main road.**

**(4) A revised layout of not less than 1:100 scale, showing suitable designated bin collection vehicle set-down spaces on Nutgrove Avenue.**

(1) As requested, please find attached Traffic and Transport Assessment (TTA) which includes sufficient details relating to existing and granted planning permissions in the vicinity of the Site and demonstrates that the minimal impact of the proposal on the existing transport network. The TTA was submitted to the Traffic, Transport and Roads Department of SDCC ahead of formal submission which a response was received via email correspondence from John Joe Hegarty on the 26<sup>th</sup> of August 2021 outlining the "TTA updated and is acceptable".

(2) The site layout plan has been updated to accommodate larger vehicles to turn on-site. Please refer to the attached amended architectural site layout plan (DWG No: 403-AI-00-06) and also the fire tender vehicle swept path (DWG: 202252-PUNCH-XX-XX-SK-C-0603) and waste collection vehicle swept path (DWG No: 202252-PUNCH-XX-XX-SK-C-0602) plans for further detail. As outlined above, the updated autotrack drawings were issued to the Traffic, Transport and Roads Department of SDCC and email correspondence was received from John Joe Hegarty on the 26<sup>th</sup> of August 2021 outlining "Autotrack for Bin Lorry is acceptable".

(3) The footpath provided at the front of the site, located within the site boundary is separated from the public Nutgrove Avenue footpath by a hedge and planting.

The internal footpath forms part of the site layout to facilitate movement and maintenance access to the proposed building within the boundary. The proposed internal access footpath will be located behind a proposed stub wall and 1m high fence and 1.2m high hedge. The internal footpath has been widened to 1.8m along the Nutgrove Avenue frontage. All footpaths are connected within the development and provide adequate connectivity, with access to the public footpath along Nutgrove Avenue with 5 no. openings in the boundary fence and hedging. The proposed boundary treatment provides a clear delineation between the public footpath and the proposed internal access pathway within the development. Please refer to amended architectural site layout plan (DWG No: 403-AI-00-06) and landscape plan drawings and section indicating amended footpath width and layout.

(4) As outlined in response 1(2) above, the internal layout of the surface parking area located to the rear of the Site has been altered to accommodate fire tender vehicles and waste collection vehicles to turn within the Site. Following consultation with the Traffic, Transport and Roads Department of SDCC, it was outlined that waste collection along Nutgrove Avenue was not acceptable. As a result, bin collection from Nutgrove Avenue was removed and bin collection is proposed to take place within the Site. As a result, waste collection can now be undertaken from within the Site. Two designated pick-up points are provided on the plans which allow the bins to be collected adjacent the existing bin storage area in the north-eastern corner of the Site and another collection point is provided to the rear of the Site, adjoining the bicycle storage area. This will be managed by the building manager to ensure the bins are moved from the dedicated bin storage areas to the waste collection points on the day of collection.

Please see the amended architectural site layout plan (DWG No: 403-AI-00-06) and engineering drawings (DWG No: 202252-Punch-XX-XX-DR-C-0450 and DWG No: 202252-PUNCH-XX-XX-SK-C-0602) which highlights the waste collection locations within the Site.

**2. The applicant is requested to address the following matters in relation to the standard of accommodation that would be provided to ensure a satisfactory living environment for prospective residents:**

**(1) Section 3.21 of the Apartment Guidelines (2020) states that the suggested minimum floor to ceiling height should be 2.4m. Having regard to this the applicant is requested to increase the floor to ceiling height in the top floor to 2.4m. Revised sections should be submitted to demonstrate this.**

**(2) Section 3.37 of the Apartment Guidelines (2020) states that a minimum depth of 1.5m is required for balconies. The wrap around balconies in their current form do not meet the 1.5m depth. The applicant is requested to provide revised plans demonstrating that each balcony meets this requirement.**

(1) The provision of a floor to ceiling height which is less than 2.4m for the upmost level was a drafting error and this level has been increased by 100mm to achieve the minimum 2.4m height. The ground floor level was previously provided with a ceiling void which has now been removed to cater for the additional 100mm required for the upmost level. This adjustment within the building volume ensures that the overall height remains as originally proposed. Therefore, no change to the overall height of the building has occurred as a result.

(2) The balconies proposed along the north-western corner of the building on Levels 1 and 2 have been increased to ensure that the minimum 1.5m dimensions have been met. This is indicated on the accompanying ground floor (DWG No.: 403-AI-02-00), first floor (DWG No.: 403-AI-02-01) and second floor plan (DWG No.: 403-AI-02-02).

The north-eastern balconies of levels 1 and 2 have been increased to exceed the minimum 1.5m dimension for the principal area of the balcony. The area along the eastern boundary does not meet the minimum 1.5m however, this area aims to facilitate access to the primary component of the balcony which provides a minimum area of 5sq.m to allow for additional amenity. This area along the eastern boundary cannot be extended further east given the wayleave which is located immediately to the east. As the primary area (5sq.m) of the balcony achieves the minimum dimensions required and as the wayleave will not facilitate an extension of the balcony to the east, the proposed balconies are considered acceptable in this instance.

**3. Given the proposed siting of the bin storage unit, in particular on the north-western side of the site in close proximity to an existing residential property and a proposed toddler play/seating area, that would also be visible from the street, the applicant is requested to submit the following information:**

**(1) A waste management plan and measures to prevent access from non-residents given the proximity of the storage units to the street.**

**(2) Details of the capacity of the bin storage units to accommodate enough bins, including general waste, recycling, and organic waste, for the number of units proposed and to comply with waste management standards.**

**(3) Details of the design of the storage units to include ventilation and measures to reduce odours.**

**(4) Details of screening to reduce the visual impact**

**(1)** A waste management plan has been prepared and accompanies this additional information response. Access to both bin storage areas have been amended and no access is provided to the storage area fronting Nutgrove Avenue. Controlled access to the bin storage area is proposed which will permit only residents and the building manager access to the bin storage area which may be obtained only from within the Site.

Two new bin collection locations have been delineated on the plans to ensure that bin collection can be undertaken from within the site. One collection point is provided in the north-eastern corner adjacent to the bin storage area and the other bin collection area is located adjacent to the long-term bicycle parking.

**(2)** Details of the capacity of the bin storage units and required bins are provided within the accompanying waste management plan, which comply with waste management standards. Additionally, the typical bin store detail has been provided in the architectural detail drawings (DWG No: 403-AI-20-01)

**(3)** The following details have been incorporated to the bin storage area to ensure that suitable ventilation and cleaning measures to reduce odours occur:

- i. A cold water tap for wash-down
- ii. A gully trap in the floor for wash-down
- iii. Fully louvred steel doors for fresh air/odour removal with an insect mesh insert.

Further detail in relation to the bin storage area specification can be reviewed in the accompanying architectural plans (DWG No.: 403-AI-20-01).

**(4)** Additional landscaping screening has been provided for the front elevation of the bin storage areas fronting Nutgrove Avenue. Given the doors have been removed from the northern elevation, 1.2m high Portuguese laurel hedging screening has been provided in front of the bin storage areas to screen the bin storage and reduce the visual impact along Nutgrove Avenue. This is further detailed in the accompanying updated landscape plan (DWG No: 362-DD-01).

## Submissions/Observations

A review of the observations has been undertaken and on behalf of our client we would like to respond to some of the main items raised as part of the notification period:

### 1. Access through the Site from Stonepark Orchard

We would like to reiterate and clarify that **no access is proposed to the rear of the Site, through to Stonepark Orchard**. Access to, and from, the Site, for both pedestrian and vehicles, is only provided from Nutgrove Avenue.

### 2. Height

While we appreciate the concerns regarding the protection of residential amenity, the proposed development has been designed with regard to current planning policies and standards, as outlined within the Design Statement and architectural drawings, which ensure the surrounding residential amenity is not negatively impacted upon. The scheme provides increased upper-level setbacks to the upmost level. As depicted in the photomontages which accompanied the planning application, the recessed built form will present as a 3-storey development to Nutgrove Avenue.

The perceived bulk of the development, as viewed from Nutgrove Avenue and the rear of the Site, is not considered disorderly as the use of vertical breaks, appropriate fenestration, architectural design features and additional setbacks have been introduced.

### 3. Potential for overlooking

The upper level of the proposed development provides 1.8m high opaque glass screens for the terrace area along the southern elevation that will mitigate overlooking. A wall which extends to 5-metres in height is located along the southern boundary of the Site. Additionally, planting is proposed along the southern boundary to provide additional screening to ensure that no overlooking. As a result, and in addition to the 1.8m high opaque screens proposed to the upmost level along the southern elevation, the opportunity for overlooking is completely quashed. This can be further examined as part of the visual impact and overlooking analysis drawings provided as part of the architectural package which demonstrates no opportunities for overlooking present from the southern facing balconies.

### 4. Number of entrances/exits

Issues were raised in relation to the number of entrances proposed for the Site. To clarify, pedestrian access is proposed from Nutgrove Avenue only. No pedestrian access is proposed along the eastern, western or southern boundary of the Site. Vehicular access and egress are proposed from Nutgrove Avenue only. No access through to Stonepark Orchard is proposed for both pedestrians and cars.

### 5. Decommissioning report

Issues were raised in regard to the previous use of the site as a petrol station. Some submissions raised that it was unclear what steps have been taken in relation to dealing with the residual issues relating to the old petrol tanks and land contaminants. A detailed decommissioning report

accompanied the planning application which confirms the site has been decommissioned and the use for residential purposes is acceptable.

In addition to the above, it is noted that a letter was provided from the adjoining 13<sup>th</sup> Rathfarnham Scout Group which indicated that they have no objection to the planning application. The Scout Hall adjoins the Site to the east and a copy of the letter provided from the Scout Group is also enclosed to this response.

Finally, it is important to note that the application which was lodged to DLRCC relating to the relocation of the traffic lights along Nutgrove Avenue was granted permission (D21A/0370). Please see the notification of the grant of permission enclosed to this response also.

We trust that the enclosed information is to the Council's satisfaction and addresses all of the issues raised in the Council's further information request. Please do not hesitate to contact the undersigned if you have any queries.

Yours sincerely,



Rachel Condon  
Senior Planner  
McCutcheon Halley

**Enclosures:**

- Revised architectural drawings pack including site layout plan, floor plans, sections and elevation drawings, contextual elevations, bin storage detail drawing and boundary wall treatment drawing prepared by Horan Rainsford Architects;
- Engineering drawings and response report prepared by Punch Consulting Engineers;
- Traffic and Transportation Assessment (TTA) prepared by Punch Consulting Engineers;
- Revised landscape drawings pack including landscape plan, section and planting plan, prepared by Murphy + Sheanon Horticultural & Landscape Architecture;
- Waste Management Plan prepared by McCutcheon Halley Chartered Planning Consultants
- 13<sup>th</sup> Rathfarnham Scout Group Support Letter
- Notification of Grant Permission (D21A/0370) received from DLRCC relating to the traffic light relocation along Nutgrove Avenue



**13<sup>th</sup> RATHFARNHAM  
Scout Group**



Re; Sirio Homes development on Nutgrove Avenue

DATE

To whom it may concern

We would like to confirm that Sirio Homes contacted us in early March to discuss their proposed apartment development at Nutgrove Avenue, alongside our Scout Hall. They made a presentation and have kept us informed about their intentions.

We have no objection to their planning application

Yours sincerely

NAME

Bernard Malone  
group leader. 13<sup>th</sup> Rathfarnham



3880

McCutcheon Halley Chartered Planning Consultants  
 Kreston House  
 Arran Court  
 Arran Quay  
 Dublin 7

<b>McCutcheon Halley Received</b>	
Date:	22 JUL 2021
Project:	3880
Action:	S DRIVE RE/EB

Date: 22-Jul-2021

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

<b>Final Grant Order Number</b> P/1514/21	<b>Date of Final Grant</b> 22-Jul-2021
<b>Decision Order Number</b> P/1240/21	<b>Date of Decision</b> 17-Jun-2021
<b>Register Reference</b> D21A/0370	<b>Date Received</b> 27-Apr-2021

**Applicant:** Sirio Investment Management Ltd t/a Sirio Homes  
**Development:** Permission for the proposed relocation of existing traffic lights and toucan crossing. These works are proposed to facilitate a residential development proposal located within the South Dublin County Council jurisdiction. A separate application for the proposed development comprising a total of 28 no. apartments, in a building up to 4-storeys in height located at the former filling station site, Nutgrove Avenue, Rathfarnham, Dublin 14 has been lodged to South Dublin County Council. The application area includes the site of the former filling station (0.2821 ha- under Applicant ownership) and a portion of land (0.0326 ha) located to the north of the filling station site, where the existing traffic lights and pedestrian crossing are located along Nutgrove Avenue. To accommodate access to this site, it is proposed to relocate the existing traffic lights and pedestrian crossing which traverses both South Dublin County Council and Dun Laoghaire Rathdown County Council boundaries. The development will consist of; i. The relocation of the existing traffic lights and pedestrian crossing located on Nutgrove Avenue to the West of its existing position to accommodate access to the former filling station site  
**Location:** Nutgrove Avenue, Rathfarnham, Dublin 14  
**Floor Area** Sq. Metres  
**Time extension(s)** up to and including  
**Additional Information Requested/Received:** /

A Permission has been granted for the development described above, subject to the (3) Conditions on the attached Numbered Pages.

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.

Signed on behalf of Dún Laoghaire-Rathdown County Council

*Sam Geoghegan*

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for Senior Executive Officer

## First Schedule Reasons and Considerations

Having regard to the unzoned nature of the site, and policies and objectives as set out in the 2016-2022 Dún Laoghaire-Rathdown County Development Plan, it is considered that the development would not detract from the amenities of the area and is consistent with the provisions of the current Development Plan, and is therefore considered to be in accordance with the proper planning and sustainable development of the area Subject to (3) Conditions.

### Appropriate Assessment Screening

The proposed development has been screened for AA (report on file) and it has been determined that the development proposed would not significantly impact upon a Natura 2000 Site

### Environmental Impact Assessment Screening

Having regard to the nature and scale of the proposed development, which comprises the relocation of traffic lights and a pedestrian crossing, 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.

## 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, 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 works to be carried out on the public road/footpath shall be at the Applicant's expense to meet the Dun Laoghaire-Rathdown County Council's 'Taking-in-Charge' requirements and all to the satisfaction of the Municipal Services Department. Final details of all required works indicated on the submitted drawings shall be agreed prior to commencement of construction with DLRCC Municipal Services (Traffic Section, Road Maintenance Section).

REASON: To ensure the development is carried out in accordance with the County Council's Standards and in the interests of the proper planning and sustainable development of the area in which the development is located.

3. The proposed development shall accord with / provide adequate provision for cyclists, in accordance with the latest National Cycle Manual and DMURS guidance.

REASON: In the interests of traffic safety.

NOTE: The proposed development shall accord with the requirements of Irish Water.

### **Building Regulations**

Buildings must be designed and constructed in accordance with the Building Regulations.

### **Commencement Notice**

A Commencement Notice must be submitted in respect of all buildings other than exempted development, not less than fourteen days and not more than twenty eight days before development commences and be accompanied by a fee of €30.

### **Fire Safety Certificate**

A Fire Safety Certificate must be obtained in respect of the erection, alteration or change of use of all buildings other than dwelling houses.

### **Amendments to the Building Regulations to take effect from 1st January 2001**

#### **Building Regulations (Amendment) Regulations 2000 (S.I. No. 179 of 2000)**

#### **Building Regulations (Amendment) (No. 2) Regulations 2000 (S.I. No. 249 of 2000)**

Amendment (S.I. 179 of 2000) relates to making new houses visitable by people with disabilities and imposing more stringent requirements on non-residential buildings / places relating to adequate access for disabled.

Amendment (S.I. 249 of 2000) introduces requirements for positioning letter plate apertures in house and other buildings.

Pursuant to the Planning and Development Act 2000 Section 34(13): "A person shall not be entitled solely by reason of a permission under this section to carry out any development."