

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0372

Application Date: 02-Jul-2021

Submission Type: Additional
Information

Registration Date: 03-Dec-2021

Correspondence Name and Address:

Terry & O'Flanagan Ltd. F1, Centrepoint Business
Park, Oak Road, Dublin 12

Proposed Development:

Construction of a two storey extension (floor area c.143sq.m) to the rear (west) of existing dwelling; construction of a single storey detached three bay carport/home office (floor area c.58.8sq.m) to the side (north) and (c) the provision of a new 100mm diameter foul drain connecting to the existing 225mm diameter foul sewer which is located in the access laneway; demolition of part ground and first floor element (floor area c.37sq.m) to the rear (west) of the existing dwelling and demolition of the two detached single storey outhouses (shed 1 & 2) located to the north and west, associated minor internal and external alterations and all ancillary site development works.

Location:

Palmyra, Whitechurch Road, Rathfarnham, Dublin
16

Applicant Name:

Anne Jackson

Application Type:

Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.99 Hectares on the application.

Site Visit: 30th of July and 11th of August 2021

Site Description

The subject site is located on lands between Whitechurch Road and Grangebrook Avenue. The site consists of a two storey detached dwelling referred to as 'Palmyra' and a number of detached outbuildings including two single storey sheds proximate to the house and adjoining a burial ground (which is noted as outside the site). The irregular shaped site is largely vegetated and has a water course (known as Glin River or Whitechurch stream) running through the southern part. There are two unpaved vehicular accesses to the site, both from Whitechurch Road.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

The Protected Structure RPS No. 334 comprised of ecclesiastical remains, a church (ruin), a graveyard and other elements is located to the north of the application site.

Proposal

Permission is being sought for the following works:

- Construction of a two storey extension (floor area c.143sq.m) to the rear (west) of existing dwelling;
- Construction of a single storey detached three bay carport/home office (floor area c.58.8sq.m) to the side (north);
- The provision of a new 100mm diameter foul drain connecting to the existing 225mm diameter foul sewer which is located in the access laneway;
- Demolition of part ground and first floor element (floor area c.37sq.m) to the rear (west) of the existing dwelling and demolition of the two detached single storey outhouses (shed 1 & 2) located to the north and west; and
- Associated minor internal and external alterations and all ancillary site development works.

Zoning

The subject site is subject to zoning objective RES – *'To protect and/or improve residential amenity'*.

Consultations

Water Services – further information requested

Irish Water – further information requested.

Roads Department – further information requested.

Public Realm – advised no comments to make.

Architectural Conservation Officer – no report received.

Heritage Officer – further information requested via phone on the 19th of August 2021.

H.S.E. Environmental Health Officer – found proposal acceptable.

Inland Fisheries Ireland – no report received.

Waste Management – no report received.

SEA Sensitivity Screening – the site overlaps with the following layers:

- Strategic Flood Risk Assessment (SFRA) A and B layers.
- The site is also located to the south of Protected Structure RPS No. 334 Whitechurch, Rathfarnham Ecclesiastical Remains, Church (Ruin), Graveyard, Font, Graveslab(s), Cross Fragment, Bullaun (RM).

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Submissions/Observations /Representations

Third party submission received from Ballyboden Tidy Towns is summarised as follows:

- Wish to object to the application as it is contrary to the policies and objectives of the SDCC Development Plan, sustainable development, and principles of proper planning, and due to incomplete documentation and research.
- Conservation or archaeological report does not contain a complete history of the site. The site was in the curtilage of a bigger holding which the applicant has not researched. The site has many names in historical archives which makes it difficult to research.
- The subject site is within the grounds of St Marys of the Blessed Virgin Abbey founded in 1139. Settlement of the site goes back further. Site was within a monastic settlement and founded by the Cistercians and the proposed archaeological works are wholly inadequate.
- The desktop and online research cannot be accepted as a full historical and archaeological record of the site and are therefore incomplete. An assessment of the site requires further information and more detailed research than what has been submitted.

This submission is noted and has been taken into account in the assessment of the proposed development.

Relevant Planning History

Subject site

WA2371

Dwelling (dormer bungalow). **Further information was requested. It does not appear that this was received.**

Adjacent and surrounding sites

SD21A/0005 Whitechurch Lodge, Whitechurch Road, Rathfarnham, Dublin 16

Amendments to the design of detached house, No. 11 Glinbury (located to the west of Whitechurch Lodge, a Protected Structure) consisting of change in floor area from 242sq.m to 350sq.m; change in overall height from 9100mm to 9800mm; changes in materials to elevations; alterations to window and door opes. **Permission granted.**

SD18A/0154 Whitechurch Lodge, Whitechurch Road, Rathfarnham, Dublin 16

Amendments to previously permitted development located within the attendant grounds of Whitechurch Lodge, a Protected Structure - RPS No. 338, (Reg. Ref. SD17A/0183, granted permission on 18/09/17): alterations to the six two storey detached houses numbered 1-6 include: changes in materials to elevations; removal of 1 chimney to each house; alterations to window and door opes; change in roof profile from mansard style roof to pitched roof (Houses 2, 3, 4 and 5 only). **Permission granted.**

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

PP014/21

Redevelopment of the existing dwelling.

PP014/20

Redevelopment of the existing 5 bedroom, two storey detached dwelling c.317sq.m and garden.

Relevant Policy in South Dublin County Council Development Plan 2016 – 2022

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy H18 Objective 1:

To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 3.8.0 Burial Grounds

Section 8.1.0 Green Infrastructure Network

Section 8.2.0 Watercourses Network

Section 8.5.0 Green Infrastructure within Urban Areas

Policy HCL 1 Overarching

Section 9.1.1 Archaeological Heritage

Policy HCL 2 Archaeological Heritage

Section 9.1.2 Protected Structures

Policy HCL 3 Protected Structures

Section 9.1.4 Older Buildings, Estates and Streetscapes

Policy HCL 5 Older Buildings, Estates and Streetscapes

Section 9.1.5 Features of Interest

Policy HCL 6 Features of Interest

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.3.9 Burial Grounds and Crematoria

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.5.1 Archaeological Heritage

Section 11.5.2 Protected Structures

Section 11.5.4 Older Buildings, Estates and Streetscapes

Section 11.5.5 Landscape

Section 11.6.1 Water Management

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance on house extensions, including for rear extensions:

Elements of Good Extension Design:

- *Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible.*

Rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained*
- *Do not create a higher ridge level than the roof of the main house.*
- *The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional Spatial and Economic Strategy 2019 – 2031.

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2009).

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Architectural Conservation;
- Archaeological Conservation;
- Visual and Residential Amenity;
- Landscape;
- Access and Parking;
- Services and Drainage;
- Environmental Health
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The proposed development is consistent in principle with zoning objective RES – *'To protect and/or improve residential amenity'*. New residential extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010.

Architectural Conservation

There is no report from the Architectural Conservation Officer. Notwithstanding this, the Planning Authority has assessed the proposed development in regard to its proximity to Protected Structure RPS No. 334 Whitechurch, Rathfarnham which consists of Ecclesiastical Remains, Church (Ruin), Graveyard, Font, Graveslab(s), Cross Fragment, Bullaun (RM). The element of the proposed development that would be located closest to this Protected Structure would be the proposed carport/home office. At its closest points the carport/home office would

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

be approx. 4.5 m from the boundary with the Protected Structure and approx. 15.6 m from the Church (Ruin). Between the carport/home office and the site of the Structure is a laneway enclosed by walls on both sides. The walls and existing vegetation would appear to screen the proposed structure from the Protected Structure. However, as noted below in this report it is not clear what vegetation is proposed for removal. **This shall be clarified via Additional Information.**

The proposed extension to the existing dwelling, Palmyra House, would be setback approx. 28.0 m from the boundary of the Protected Structure. It is not considered that the extension would be easily visible from the Protected Structure due to its separation distance, lower ground level and screening by existing walls and vegetation.

Palmyra House is not a Protected Structure, however, it is noted as being built early-mid 19th century. Although the building is not protected it does appear to have retained a large amount of its historical features and is an attractive building. Therefore, any extensions should be sympathetic to the original structure and ensure that its character is retained as much as possible in accordance with Policy HCL 5 of the County Development Plan. It is proposed to demolish part of this house at the rear (western elevation). At ground floor this involves the removal of part of the kitchen/living room, hall, kitchen, and utility room (area of demolition approx. 24.0sq.m). At first floor this removes a bathroom (area of demolition approx. 13.0sq.m). Internal alterations are proposed to walls. The house would be extended by approx. 58sq.m at ground floor and approx. 85.0sq.m at first floor level.

The proposed extension would be two storeys in height with a flat-roof. The overall height would be approx. 6.2m and 6.6m. It would not sit higher than the roof ridge of the existing house. The external walls would be coloured smooth render to match the existing house. While the extension would appear quite modern in character compared to the existing house this is considered to be an appropriate design. A large portion of the house would be retained, and the extension would be an addition to the rear of this. The extension would not compromise or erode the architectural interest, character, and visual setting of the overall building. It is therefore considered to be in compliance with Council policy in regard to older buildings.

Notwithstanding the above, the applicant should be requested to contact the SDCC Architectural Conservation Officer and ascertain her requirements and include these as further information.

Archaeological Conservation

The National Monuments Service list Recorded Monuments DU022-030 to DU022-03007 at Whitechurch Road. This includes at the site to the north of the subject site Ecclesiastical

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Remains, Church, Graveyard, Grave-slab, Cross-slab, Bullaun stone, Font, and Cross Fragment. This site also has the specific objective in the County Development Plan 'To protect and/or provide for a Burial Ground'. There is also a 19th century burial site enclosed by the subject site, to which the sheds proposed for demolition are adjacent to (on its eastern and southern boundaries). Based on the submitted drawings and site visits the sheds appear to incorporate the boundary walls of this burial site.

The applicant has submitted an Archaeological Assessment of the site that makes recommendations: (1) for a test-trench prior to any ground works for the carport/home office, (2) that the northern most existing accessway should not be used by construction traffic, and if it is necessary to use this that there is a strategy for ensuring that the curving graveyard wall is not accidentally damaged, and (3) that care is taken during demolition of the existing sheds to ensure that the 19th century family burial ground boundary wall is not damaged. It is noted that these recommendations are subject to approval from the National Monuments Service. The third party submission has raised concerns in regard to the research conducted for this assessment. It is noted that the site is recognised as being proximate to a site of archaeological significance and the assessment reflects this as such.

The proposed carport/home office would be adjacent to the 19th century burial ground. This structure would be setback approx. 0.2m from the boundary of the burial ground and approx. 1.0m from the wall along the adjacent laneway. It is not clear from the submitted documentation how the walls of the burial site and laneway would be impacted by the demolition of the existing sheds. **The applicant should be requested to clarify this via Additional Information.** The proposed works are also in proximity to the Recorded Monuments to the north of the site. The Heritage Officer notes that there is the potential for archaeological discoveries to be made outside of the burial grounds. Conditions in relation to archaeological monitoring, recording, and reporting should be imposed in the event of a grant of permission to ensure that the appropriate procedures are in place in regard to this.

Visual and Residential Amenity

Extension to the rear of the existing dwelling

The proposed extension would be two storeys in height with a flat-roof. The SDCC House Extensions Design Guide states that prominent flat roofed extensions are normally not acceptable. However, the structure would be significantly setback and screened from the streetscape and wider area and would not be easily visible from outside the site. Proposed at ground floor level would be a hall/staircase, bedroom/tv room/office/play room, a kitchen, and a living room. At first floor level would be a hall/staircase, bedroom and tv room/family room. The proposed bedrooms would meet the minimum floorspace requirements of the County

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Development Plan. The remaining amenity space for the house would exceed the minimum required.

In terms of residential amenity, the extension would be setback approx. 30.5m to 50.7m from the boundary with Grangebrook Avenue. It would also be setback approx. 44.1m from the boundary shared with the rear gardens of the dwellings at Grangebrook Avenue. The house and extension would be set down in terms of ground level to the area of garden and vegetation to the east and south of the house. It is not proposed to remove the existing mature vegetation along these boundaries. It is therefore considered that the proposed extension would only have very limited visibility, if any, from the surrounding residential properties.

Single storey detached three bay carport/home office

The proposed carport/home office would provide for a covered space for 3 car parking spaces and office space consisting of 3 rooms and 2 bathrooms. The area of the office would be approx. 58.8sq.m in size. In the Design Rationale Statement submitted with the application the applicant states that the home office is intended solely for family use ancillary to the main dwelling. In the event of a grant of permission the use of this structure shall be conditioned as such.

The structure would have a flat roof that would be approx. 3.3m in height at the front elevation and slope down to 2.7m at the rear. The design of the structure is modern in nature compared to the existing house onsite. This is considered acceptable in this instance, and it shall be conditioned that the materials, which have not been identified, are agreed with the Planning Authority prior to construction.

The CGI's submitted relate mainly to the extension to the dwelling. CGI's are required of the proposed car port and home office from a number of different angles. **Further information** should be sought on this issue.

Landscape

It is proposed to demolish two detached buildings referred to as sheds. These sheds appear to be non-habitable and used for storage. Due to the nature of these buildings, the existing vegetation and proximity to a watercourse (Glin River) the Heritage Officer has advised there is the potential for bat roosting and/or activity on the site. Any proposed development should address this. **A bat survey (of roosts and activity) of the buildings for demolition should be submitted via Additional Information. Depending on the results from this survey lighting may needed to be addressed.**

The proposed development would involve the removal of existing vegetation, including mature trees, to facilitate development. The applicant has submitted a tree schedule and tree survey plan.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

This identifies the condition of the existing trees onsite, however, does not clearly identify or assess the trees to be removed. It appears trees would be removed and the development, namely the carport/home office, would be proximate to and within the root protection area of a Category A tree. There is vegetation growing on the existing sheds to be demolished. **The applicant should be requested to clearly identify what trees are to be removed and what mitigation measures are required to protect existing vegetation.**

Access and Parking

The new carport would add space for 3 cars to be parked onsite under a covered area. It is noted that there is an existing paved area to the north and east of the dwelling that has space to park several cars. No works are proposed to the existing entrances. The Roads Department has reviewed the proposed development and **requests further information:**

Access & Roads Layout:

It is felt that the inclusion of a 3-vehicle carport will lead to an increase in vehicle movement on and off-site including access and egress. And as a result of this, the council requires that a Road Safety Audit is carried out, paying particular attention to vision lines.

Structures:

Re the retaining wall referred to in several drawings additional information is sought:

- *Retaining wall Structural stability report*
- *Detailed design including:*
- *fully dimensioned drawing*
- *foundations including sub-base specification*
- *steel reinforcement arrangement, concrete specifications*
- *loadings post construction (dead, live, hydraulic, etc)*
- *drainage/groundwater management*

Roads recommend that Additional Information (AI) be requested from the applicant.

Please provide:

1. *Road safety audit*
2. *Retaining wall Structural stability report*
3. *Detailed retaining wall design*

The report from the Roads Department is noted. The retaining walls referred to are to the rear of the house as part of the proposed extension. **It is recommended that the applicant addresses these concerns by way of Additional Information.**

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Services and Drainage

The applicant states that all proposed surface water runoff will connect to the existing surface water drainage system. Water Services has reviewed the proposed development and requests further information in regard to surface water:

1.1 It is unclear where surface water run off from the site is proposed to drain to. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer/watercourse. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.

1.2 The applicant shall submit a report and a drawing clearly showing how surface water up to and including the 1:100 (1%) year critical storm with climate change allowance will be attenuated on site to pre-developed greenfield run off rates or alternatively via infiltration to ground. All surface water management shall be provided through the use of Sustainable Drainage Systems (SuDS) where possible. Such features include but are not limited to:

- Soakaways*
- Permeable Paving*
- Water Reharvesting systems*
- Rain Gardens*
- Swales*

Design calculations and construction details of all proposed SuDS features shall be submitted.

It is proposed to decommission the existing septic tank and create a new connection to the existing 225 mm diameter foul sewer located in the access laneway. The applicant notes that there is an existing mains water supply serving the site. Irish Water have reviewed the proposed development and request further information:

1 Water

1.1 The applicant has not submitted water supply drawings for the proposed development. The applicant is required to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. All proposals are to comply with the Irish Water Standard Details for Water Infrastructure available at (<https://www.water.ie/connections/Water-Standard-Details.pdf>)

1.2 All works are to comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Reason: In the interest of public health and to ensure adequate water facilities.

2 Foul

2.1 In order to assess the feasibility of a connection to public waste water infrastructure further information is requested as follows;

The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public waste water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

2.2 All works are to comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure

Reason: In the interest of public health and to ensure adequate wastewater facilities.

The reports from Water Services and Irish Water are noted. **It is recommended that the applicant addresses these concerns by way of Additional Information.**

Environmental Health

The H.S.E. Environmental Health Officer has reviewed the proposed development and advise that they find the proposal acceptable subject to the following conditions:

1. The existing septic tank shall be decommissioned, emptied and made safe.

Reason: In the interest of public health and amenity.

Noise

2. To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that:

The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours

- Before 07.00 hours on weekdays, Monday to Friday*
- Before 09.00 hours on Saturdays.*
- After 19.00 hours on weekdays, Monday to Friday.*
- After 13.00 hours on Saturdays.*
- Not permitted at any time on Sundays, Bank Holidays or Public Holidays.*

Reason. In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Air Quality

3. *During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.*

Reason: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.

The report from the Environmental Health Officer is noted. In the event of a grant of permission these conditions shall be included.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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 a screening determination is not required.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that **Additional Information** is required to ensure the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity, would meet infrastructure requirements, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

Request Further Information.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Further Information

Further Information was requested on the 26th of August 2021.

Further Information was received on the 3rd of December 2021 (not deemed significant).

Further Information Consultations

Water Services – no objection subject to conditions.

Irish Water – no objection subject to conditions.

Roads Department – no objections.

Public Realm – advised no comments to make.

Architectural Conservation Officer – no objection subject to conditions.

Heritage Officer – no report received.

Assessment

Item 1 Requested

It is proposed to demolish two detached buildings referred to as sheds. These sheds appear to be non-habitable and used for storage. Due to the nature of these buildings, the existing vegetation and proximity to a watercourse (Glin River) the Heritage Officer has advised there is the potential for bat roosting and/or activity on the site. The applicant is requested to submit a bat survey for bat usage carried out on the sheds proposed for demolition to assess roosting and feeding/foraging activities and assessing potential impact on these species arising from the proposed development. The survey shall be undertaken by a qualified and experienced bat surveyor carrying professional indemnity insurance during the correct time of the year and under the weather conditions appropriate for surveys. Depending on the results from the survey(s) any proposed lighting may needed to be revised.

Assessment: The applicant has submitted an Assessment of Bat Activity report prepared by FERS (Forest, Environmental Research and Services Ltd.). The findings from this report were that there was no evidence these buildings are used as a roosting site. They also found a surprising paucity of bat foraging/commuting activity on site given the habitats present. The report concludes that the proposed development will have no significant impact on the local bat population. The report is considered acceptable and addresses the further information request.

Item 2 Requested

The proposed development would involve the removal of existing vegetation, including mature trees, to facilitate development. The applicant has submitted a tree schedule and tree survey plan. This identifies the condition of the existing trees onsite, however, does not clearly identify or assess the trees to be removed. It appears trees would be removed and the development, namely the carport/home office, would be proximate to and within the root protection area of a Category A tree. There is also vegetation growing on the existing sheds to be demolished. The applicant is requested to submit further detail clearly identifying what trees are to be removed and what mitigation measures are required to protect existing vegetation.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Assessment: The applicant has submitted an Arboricultural Report, tree removal plan, tree survey and tree protection plan. The proposed development would involve the removal of 12 trees and 2 hedgerows. In terms of the quality and value of these trees/hedgerows, they are largely considered C Category, with 1 no. B Category and 1 no. U Category. Pruning works are required to trees for retention to facilitate the development. These works can be carried out without impacting the health or landscape character of the trees. The Planning Authority welcomes the retention and protection of the high quality trees on site. It should be conditioned that the proposed development is carried out in accordance with the recommendations of the Arboricultural Report.

Item 3 Requested

There is a 19th century burial site enclosed by the subject site, to which the sheds proposed for demolition are adjacent to (on its eastern and southern boundaries). Based on the submitted drawings and site visits the sheds appear to incorporate the boundary walls of this burial site. It is not clear from the submitted documentation how the walls of the burial site and laneway would be impacted by the demolition of the existing sheds. The applicant is requested to submit further information demonstrating the proposed works to the walls of the burial ground enclosed by the site and to the wall along the laneway to the north.

Assessment: The applicant has submitted a response from Buchan Kane & Foley Conservation Architects. SDCC's Architectural Conservation Officer has reviewed the submitted further information and states the following:

As part of the RFI a request was made for specific detail and the removal of the existing shed and any impacts on the boundary wall of the adjoining Protected Structure site. In relation to the shared boundary wall of the protected structure site adjacent, as detailed in Item 3 – A response has been provided stating that the roof covering and timbers of the shed to be demolished can be removed without damaging the existing wall. Ivy and other vegetation will be cleared from the wall and existing capping will be repaired and loose stones will be repointed in lime mortar, it is considered that the repair works to the boundary wall should be conditioned to ensure the necessary and appropriate work is completed as part of the overall development.

With regard to the Lane Wall. The northern end of the shed runs from approx. the black pipe to the brick pilaster. When the shed is removed vegetation in this section will be removed and top of the wall will be repointed and capped in lime mortar, as necessary. All repairs to the boundary walls will be completed by working from within the Palmyra House Grounds. It is considered that the necessary repairs to the boundary walls should be carried out adhering to best conservation practice and should be completed as part of the overall development.

The Architectural Conservation Officer has no objection subject to conditions, including in relation to the boundary walls:

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

- *In order to ensure no damage is caused directly to the boundary wall of Palmyra House and the adjacent Protected Structure Site (Whitechurch Church and Graveyard) the roof covering and timbers of the shed to be demolished should be removed without damaging the existing wall. Ivy and other vegetation should be cleared from the wall and existing capping repaired and an loose stones repointed using lime mortar. It is considered that the necessary repairs to the boundary walls is completed as part of the overall development. In relation to the Lane Wall, the northern end of the shed, when the shed is removed, vegetation in this section should be removed and top of the wall repointed and capped using lime mortar, as necessary. Reason: The necessary repairs to the boundary walls should be carried out adhering to best conservation practice using the correct materials and methods and all work required should be completed as part of the overall development.*

The report from the Architectural Conservation Officer is noted and should be conditioned as such in the event of a grant of permission.

Item 4 Requested

(1) Water

1.1 The applicant has not submitted water supply drawings for the proposed development. The applicant is required to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. All proposals are to comply with the Irish Water Standard Details for Water Infrastructure available at (<https://www.water.ie/connections/Water-Standard-Details.pdf>)

1.2 All works are to comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure

(2) Foul

2.1 In order to assess the feasibility of a connection to public waste water infrastructure further information is requested as follows;

The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public waste water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

2.2 All works are to comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure

Assessment: The applicant has submitted further information on the watermain layout advising that no new public water connection is proposed. A letter from Irish Water has also been

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

submitted advising that the wastewater connection can be facilitated. Irish Water has reviewed the further information submitted and has no objections subject to standard conditions.

Item 5 Requested

1.1 It is unclear where surface water run off from the site is proposed to drain to. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer/watercourse. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdbublincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.

1.2 The applicant shall submit a report and a drawing clearly showing how surface water up to and including the 1:100 (1%) year critical storm with climate change allowance will be attenuated on site to pre-developed greenfield run off rates or alternatively via infiltration to ground. All surface water management shall be provided through the use of Sustainable Drainage Systems (SuDS) where possible. Such features include but are not limited to:

- Soakaways
- Permeable Paving
- Water Reharvesting systems
- Rain Gardens
- Swales

Design calculations and construction details of all proposed SuDS features shall be submitted.

- *The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*
- *All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

Assessment: The applicant has submitted further information in regard to surface water. Water Services has reviewed the further information submitted and has no objections subject to the following conditions:

1.1 Prior to commencement of development, the applicant is required to submit the following information:

- a.) a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*
- b.) a drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - i.) At least 5m from any building, public sewer, road boundary or structure.*
 - ii.) Generally, not within 3m of the boundary of the adjoining property.**

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

- iii.) *Not in such a position that the ground below foundations is likely to be adversely affected.*
- iv.) *10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- c) *a revised surface water drainage layout drawing showing the inclusion of water butts as part of additional SuDS (Sustainable Drainage Systems) features for the proposed development.*
- *The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*
 - *All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

The report from Water Services is noted and should be conditioned as such in the event of a grant of permission.

Item 6 Requested

The applicant is requested to submit further detail in regard to the proposed retaining walls associated with the proposed development. This shall include the following:

- *Retaining wall Structural stability report*
- *Detailed design including:*
 - o fully dimensioned drawing*
 - o foundations including sub-base specification*
 - o steel reinforcement arrangement, concrete specifications*
 - o loadings post construction (dead, live, hydraulic, etc)*
 - o drainage/groundwater management*

Assessment: The applicant has submitted detail on the proposed retaining walls including a dimensioned drawings, including steel reinforcement arrangement and detailing, concrete foundation, sub-base and steel specifications and drainage/groundwater management proposals. A retaining wall structural design and stability report has also been submitted. The Roads Department finds this information acceptable. The retaining walls should be constructed as per the design and specifications submitted.

Item 7 Requested

- (a) The proposed development would involve the construction of a carport for 3 car parking spaces, creating additional car parking space onsite. The Roads Department advises that the inclusion of a 3-vehicle carport will lead to an increase in vehicle movement on and off-site including access and egress. The applicant is requested to submit a Road Safety Audit, paying particular attention to vision lines at the existing accesses.*
- (b) The CGI's submitted relate mainly to the extension to the dwelling. The applicant is requested to submit CGI's of the proposed car port and home office from a number of different angles.*

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

(c) the applicant is requested to contact the Architectural Conservation Officer and ascertain her requirements and submit these as further information.

Assessment:

(a) The applicant has submitted further information stating that the proposed carport is to facilitate existing car parking requirements. These are intended to replace existing car parking on the drive way of the site. They state that there will be no increase in vehicle movement or changes to the existing access and therefore a Road Safety Audit is not required. The Roads Department has reviewed this information and has no objections. It is considered this item has been satisfactorily addressed.

(b) The applicant has submitted CGIs of the proposed car port and home office building. These demonstrate that the proposed building would be designed to a high quality and complement the existing dwelling. SDCC's Architectural Conservation Officer also states that the "...carport/home office will not cause any direct negative visual impact on the existing historic property (Palmyra) or the adjoining Protected Structure site (Whitechurch Church and Graveyard)", as outlined in their report (included in full below). The carport/home office building is therefore considered to be visually acceptable.

(c) SDCC's Architectural Conservation Officer has reviewed the further information submitted and states the following in addition to the comments previously outlined in this report regarding the boundary walls:

A request for additional information was issued in relation to the above planning application. As part of the AI request under Item 7(c) the applicant was requested to contact the undersigned to ascertain any requirements in relation to Architectural Conservation Items. Mr. Timothy Foley, Conservation Architect, Buchan Kane & Foley contacted the undersigned via email and the following was issued as a reply from the Councils Architectural Conservation Officer on the 1st October 2021.

"I refer to your email relating to the request for AI under Item 7 which states that; Item 7 (c) requested the applicant to contact the Architectural Conservation Officer and ascertain her requirements and submit these as further information. Although Palmyra House is not included on the Record of Protected Structure the existing house and grounds are considered to be of architectural and historical interest. The site is located adjacent to Whitechurch Church and Graveyard. The level of detail and the completed Conservation Report which includes an architectural impact assessment and details of the proposed works to the existing building and the proposed extension are welcomed. The level of detailed provided allows a proper assessment of the proposed works. As stated in the Conservation Report works the house will be conserved, repaired and refurbished for continued use as a single family home. The works proposed will require some alterations to the original fabric as show on the floor plans. It is considered that the works being carried out are adhering to minimal intervention principles and are considered to be acceptable.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

The proposed two-storey extension has been suitably located to ensure a clear distinction between the existing property and the new addition. The overall design is considered to be of high architectural quality and its overall form and scale is sensitive to the existing building. The materials and clear contemporary design reflect the materials of the existing historic property but allow a contrast and architectural interest. However, the only item that I would require is details and specification for the works is on how the new extension is to be connected to the existing house. These should be provided as part of the AI response for Item 7 by way of a brief statement and specification if required.

It is considered by the undersigned that the overall impact is minimal and that the proposed new extension and carport/home office will not cause any direct negative visual impact on the existing historic property (Palmyra) or the adjoining Protected Structure site (Whitechurch Church and Graveyard).

I would ask as part of the AI request the comments provided above are included as part of the AI request Item 7 in order to satisfy the Planning Authority that the Councils Architectural Conservation Officer was contacted in this regard. In addition that details are included with regard to how the new extension is to be connected to the existing house and how these works will be carried out without causing damage to the original fabric and ensuring that the area are made good using the correct materials and methods”.

A response has been provided by the Conservation Architect which contains details of all email correspondence between Mr. Foley and the undersigned as part of the overall response to the RFI Item 7 (c).

A response has been provided detailing the specification for how the new masonry walls of the new extension will be connected to the existing external walls. It is proposed that where new walls are joined to existing masonry they shall be butted together with a soft joint, this will ensure minimal interference with existing fabric. Approved stainless steel brackets will be set in mortar joints at every third layer of new blockwork. The existing wall will be drilled and brackets bolted into existing masonry to provide a secure flexible joint, to engineers requirements. The vertical joints shall be filled with a compressible bitumen based seal. Sealant to be recessed c. 25mm and joint finished in approved silicone filler. It is considered that the specification provided as detailed above in response to Item 7 is acceptable...

...Recommendation

It is considered that the information submitted to address the items requested as Additional Information are satisfactory. It is therefore recommended that the proposed development be granted with the following conditions attached;

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

- *It is considered that the proposed works should be carried out in accordance with the details provided in the Additional Information submission and in accordance with the conservation report provided as part of the planning application. It is considered that although Palmyra House is not a protected structure it is of architectural significance and should therefore be threat and safeguarded accordingly during the works and that all works should be carried out adhering to good conservation practice.*

Reason: To ensure works are carried out in accordance with the particulars provided and methodology.

- *Safety measures should be put in place during the proposed works on site. A Safety Statement should be provided detailing how the existing structures will be protected during demolition works and site clearance/excavation and construction. A safety statement should be submitted for written agreement with the Councils Architectural Conservation Officer prior to the commencement of development.*

Reason: To ensure that Palmyra House is safeguarded during the proposed development and appropriate safety measures are put in place to prevent any possible damage to original built fabric or architectural features.

- *A Schedule of materials and finishes should be provided for the proposed new additions and extension prior to commencing development by way of confirming final material finishes and colours. This should include full details on materials and finishes for all elements of the proposed development.*

Reason: To ensure the proposed new addition to Palmyra House is of high quality and reflects the overall design ethos detailed in the proposal...

In addition there is the previously stated condition in relation to the boundary walls. The report from the Architectural Conservation Officer is noted and should be conditioned as such in the event of a grant of permission.

Summary: The further information submitted satisfactorily addresses the items raised. The planning application should therefore be granted permission subject to conditions.

Development Contributions

No pre-existing extensions
Proposed extension 143sq.m
Assessable area = 103sq.m

SEA monitoring

Building Use Type Proposed: Residential
Floor Area: 143.0sq.m
Land Type: Brownfield/Urban Consolidation.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Site Area: 0.99 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to the conditions set out below, the proposed development would be in compliance with Council policy in relation to extensions to dwelling houses, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by Further Information received on the 3rd of December 2021, 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. (a) External Finishes.
All external finishes shall harmonise in colour or texture that is complementary to the

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

house or its context.

REASON: In the interest of visual amenity.

(b) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

(c) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(d) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

3. Restrictions on Use.

The use of the carport/home office building for residential purposes shall not be used as a dwelling house and shall be restricted to a use ancillary to the use of the existing house on the site, and the structure shall not be sub-divided from the existing house, either by way of sale or letting (including short-term) or otherwise.

REASON: In the interests of proper planning and sustainable development of the area.

4. Architectural Conservation

(a) The proposed works shall be carried out in accordance with the details provided in the Additional Information submission and in accordance with the conservation report provided as part of the planning application.

(b) Safety measures shall be put in place during the proposed works on site. A Safety Statement shall be provided detailing how the existing structures will be protected during demolition works and site clearance/excavation and construction. A safety statement should be submitted for written agreement of the Planning Authority prior to the commencement of development.

(c) A Schedule of materials and finishes shall be provided for the proposed new additions and extension prior to commencing development by way of confirming final material finishes and colours. This should include full details on materials and finishes for all elements of the proposed development.

(d) In order to ensure no damage is caused directly to the boundary wall of Palmyra House and the adjacent Protected Structure Site (Whitechurch Church and Graveyard) the roof covering and timbers of the shed to be demolished shall be removed without damaging the existing wall. Ivy and other vegetation shall be cleared from the wall and existing capping repaired and an loose stones repointed using lime mortar.

Repairs to the boundary walls shall be completed as part of the overall development. In relation to the Lane Wall, the northern end of the shed, when the shed is removed,

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

vegetation in this section shall be removed and top of the wall repointed and capped using lime mortar, as necessary.

REASON: To ensure works are carried out in accordance with the particulars provided and methodology, that Palmyra House is safeguarded and the addition is of high quality and reflects the overall design ethos, that works are carried out with best conservation practices using the correct materials and methods and all work required should be completed as part of the overall development.

5. Archaeological Monitoring

(a) The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.

(c) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

6. Existing Septic Tank.

The existing septic tank shall be decommissioned, emptied and made safe.

REASON: In the interest of public health and amenity.

7. Protection/Retention of Existing Trees.

Existing trees shall be retained and shall be protected from damage during building operations in accordance with the Tree Protection Plan by the Arborist, drawing no. 191013-P-22.

Only those trees detailed for removal on drawing no. 191013-P-21, submitted to the Planning Authority on the 3rd of December 2021 shall be removed. These trees shall be removed in accordance with the recommendations of the Arboricultural Report submitted to the Planning Authority on the 3rd of December 2021. All other trees on the site shall be retained and shall be protected from damage for the duration of the works on site, to the satisfaction of the Planning Authority in accordance with BS 5837: 2012.

All existing trees to be retained shall be enclosed by stout protective fencing, located at a suitable distance as detailed in BS: 5837 – 2012 – ‘Trees in Relation to Design, Demolition and Construction’. This protective fencing shall be erected no later than two weeks of the date of any Commencement Notice within the meaning of Part II of the

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

Building Control Regulations 1997 and prior to the commencement of any works on site, and before any materials are brought onto site and prior to the commencement of any works associated the proposed development.

The Planning Authority shall be notified in writing when protective measures are commencing and also in writing when they have been completed.

The protective fencing shall at all times be maintained intact and in good order for the duration of the construction works. Any damage caused to the protective fence shall be repaired immediately.

No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the protective fence(s), nor shall any changes in ground level be made within the fence(s) unless previously agreed in writing by the Planning Authority.

In the event that trees become damaged or otherwise defective during construction period, South Dublin County Council shall be notified as soon as reasonably practicable and remedial action agreed and implemented at the developer own expense.

Any necessary tree felling and surgery works shall be first agreed on-site and subsequently in writing with the Planning Authority prior to the commencement of the development.

The proposed location of the site compound, and the exact routes of all water mains, foul and surface water sewers shall be marked out on site, and agreed with the Planning Authority's Public Realm Section prior to the commencement of any works on site, so as to minimise damage to trees which could result from excavation works, storage of materials and construction of temporary access roadway.

REASON: In the interests of proper planning and sustainable development, compliance with Development Plan policy, visual amenity and the protection of existing trees and biodiversity.

8. Surface Water

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

- (a) A report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
- (b) A drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - (i) At least 5m from any building, public sewer, road boundary or structure.
 - (ii) Generally, not within 3m of the boundary of the adjoining property.
 - (iii) Not in such a position that the ground below foundations is likely to be adversely affected.
 - (iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

(c) A revised surface water drainage layout drawing showing the inclusion of water butts as part of additional SuDS (Sustainable Drainage Systems) features for the proposed development.

REASON: in the interest of proper drainage.

9. **Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €10,762.47 (ten thousand seven hundred and sixty two euros and forty seven cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

Comhairle Chontae Atha Cliath Theas

PR/0019/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD21B/0372

LOCATION: Palmyra, Whitechurch Road, Rathfarnham, Dublin 16

jjohnston

Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 10/1/22



Eoin Burke, Senior Planner