

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD21A/0108      **Application Date:** 10-May-2021  
**Submission Type:** Additional Information      **Registration Date:** 10-Jan-2022

**Correspondence Name and Address:** DRB Design 74, Lambourn Park, Clonsilla, Dublin 15

**Proposed Development:** One bedroom, two storey semi-detached house including associated hard and soft landscaping; off-street car parking; connection to existing public main sewers and boundary walls.

**Location:** 20, Woodford Park Road, Dublin 22

**Applicant Name:** Sean Walsh

**Application Type:** Permission

(CM)

### **Description of Site and Surroundings:**

#### Site Description:

The site is located at the end of Woodfield Park, siding on to green space. This is a very narrow strip of land between the existing semi-detached house and the property boundary.

Site Area: 0.012 Ha.

Site Visit: 7/6/2021

### **Proposal:**

- One bedroom, two storey semi-detached house including associated hard and soft landscaping;
- off-street car parking;
- connection to existing public main sewers and boundary walls.

### **Zoning**

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

### **Consultations:**

Environmental Services:

- Surface Water
- Flood Risk

Recommends request for Additional Information.  
Recommends request for Additional Information.

Irish Water:

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

- |                |  |
|----------------|--|
| - Water Supply | Recommends request for Additional Information. |
| - Foul Water   | Recommends Refusal.                            |
| Roads          | No objection, subject to conditions.           |

### **Screening for Strategic Environmental Assessment**

OPW Flood Maps 0.1% Current Fluvial Flood Probability Map

The site is close to areas around its periphery which are in the 1% fluvial flood probability map.

### **Submissions/Observations /Representations**

None.

### **Relevant Planning History**

**SD09A/0322** – Grant of permission for one bedroom two storey semi-detached house including associated hard and soft landscaping and connection to existing public mains sewer. This has withered without being implemented.

**SD09A/0322/EP** – Extension of duration granted to the above permission. This has withered without being implemented.

### **Relevant Enforcement History**

None found in preliminary search.

### **Pre-Planning Consultation**

None.

### **Relevant Policy in South Dublin County Development Plan (2016-2022)**

Chapter 1 Core Strategy

Policy CS1 Objective 1

Policy CS2 Objective 5

Chapter 2 Housing

Section 2.4.0 Residential Consolidation

Policy H17 Residential Consolidation

Chapter 11 Implementation

Section 11.3.0 Residential

Section 11.3.2 Residential Consolidation

(i) Infill Sites

Development on infill sites should meet the following criteria:

- Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

- A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.
- Significant site features, such as boundary treatment, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.
- Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).
- Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops.
- Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.

### **(ii) Corner/Side Garden Sites**

Development on corner and/or side garden sites should meet the criteria for infill development in addition to the following criteria:

- The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings,
- The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings,
- The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings,
- Where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings, and
- Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain.

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

Section 11.6.1 (i) Flood Risk Assessment  
Section 11.8.0 Environmental Assessment

### **Relevant Government Policy** **Ministerial Guidelines and Policy**

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

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

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

**Rebuilding Ireland: Action Plan for Housing and Homelessness**, Government of Ireland (2016).

**Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities**, Department of Housing, Planning and Local Government (2020).

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

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

**Urban Development and Building Heights Guidelines for Planning Authorities**, (2018)

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

**Design Manual for Urban Roads and Streets** Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

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

**The Planning System and Flood Risk Management - Guidelines for Planning Authorities**, Department of the Environment, Heritage and Local Government & OPW, (2009).

**Departmental Circulars**, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL08/2020: Vacant Site Levy
- Circular NRUP 02/2021 - Residential Densities in Towns and Villages

### **Assessment**

The main issues for assessment are:

- Zoning and Council policy;
- Visual impact;
- Residential amenity;
- Access, Transport and Parking
- Water services;
- Environmental impact assessment;
- Appropriate assessment.

### **Land Ownership and Site Boundaries**

There is an issue apparent from the elevation and plan drawings submitted. The development would appear to overhang the site to the north-west which is in separate ownership. The applicant should be asked to confirm by **additional information** whether the development would infringe upon lands outside the ownership of the applicant, and if so, the applicant should also provide a letter of consent from the adjoining land owner or submit revised drawings with all elements of the proposal within the redline boundary. The applicant may also need to re-advertise as this might constitute significant additional information.

### **Red Line Boundary**

The applicant is proposing works outside the red line boundary indicated on the Site Location Map. Specifically, the applicant is proposing to alter the vehicular entrance to the existing house. The red line should be amended to take in the entire site, and this can be done by way of **additional information**. The applicant may also need to re-advertise as this might constitute significant additional information.

### **Zoning and Council Policy**

The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. Infill residential development is permissible in principle under this zoning objective, subject to the criteria laid down in section 11 of the South Dublin County Development Plan 2016 - 2022.

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

### **Visual Impact**

The proposed development would maintain the height and front and rear building lines of the existing houses along the road. The houses would fit with the character of the area. The new house would have no negative impact on any adjoining properties in terms of visual impact.

The house presents a fairly blank gable façade to the side – as this faces into a park and would not dominate the side street to the north-west, the elevational treatment is not considered to be injurious to the amenities of the area.

### **Residential Amenity**

The proposed development is for a 2-storey 1-bedroom house. Internal room sizes and widths of proposed one bedroom dwelling meet the standards contained in the 'Quality Housing for Sustainable Communities - Best Practice Guidelines' (2007). The overall floor area is 62.3sq.m. This is considered adequate for a 1-bed house although no guidance exists for a 2-storey 1-bedroom house (provision of a 1-storey, 1-bedroom house requires a minimum of 45sq.m).

### **Private Amenity Space**

The proposed development would provide for 45sq.m private amenity space for the proposed house, and 48sq.m of space in the rear garden of the existing house. This latter quantum is below the minimum requirement found in Table 11.23 of the County Development Plan. However, taking into account the previous permission on the site, the quality of the space provided (it is regular in shape and well oriented to receive sunlight), the proximity of nearby public open space, and the fact that this is infill development, it is considered that under Section 11.3.2 (i) of the County Development Plan, the proposed provision of private open space is acceptable.

### **Bin Storage**

Neither house, as shown, would have access to the rear garden. The applicant should show by of **additional information**, what arrangements are proposed for the storage of bins to either house.

### **Access, Transport and Parking**

The Roads Department has noted the proposed vehicular access arrangements, which include a separate access at 2.5m in width. The Roads Department states no objection, subject to conditions.

### **Water**

The Environmental Services Department has sought additional information in relation to the design of proposed soakaway. The report also seeks a flood risk assessment of the development, as it is located in an at-risk area of flooding as per OPW predictive fluvial flood risk maps (1 in 1000 year event).

# Comhairle Chontae Atha Cliath Theas

PR/0164/22

## Record of Executive Business and Chief Executive's Order

This issue was not raised in the grant of permission in 2009, though this is reflective of development in flood risk mapping and planning, as appropriate, in the intervening period. Section 11.6.1 of the South Dublin County Development Plan 2016 - 2022 states the following:

“For lands identified as at risk of flooding in (but not limited to) the South Dublin Strategic Flood Risk Assessment, a site-specific Flood Risk Assessment to an appropriate level of detail, addressing all potential sources of flood risk, is required, demonstrating compliance with the Flood Risk Management Guidelines or any updated version of these guidelines and paying particular attention to residual flood risks and any proposed site specific flood management measures. The Flood Risk Assessment shall be prepared by an appropriately qualified Chartered Engineer or equivalent, in accordance with the Flood Risk Management Guidelines.”

It is therefore appropriate that the applicant provide a flood risk assessment of appropriate detail, prepared by an appropriately qualified professional, as **additional information**.

### Irish Water

Irish Water has recommended refusal of permission, as the proposals for diversion of the underground foul water pipe are unacceptable. The report reads:

“2 Foul (Refusal)

2.1 The proposed development appears to be located over an existing foul drain that serves a number of houses.

2.2 The proposed diversion of existing foul drain to an area outside the boundary of site is not recommended because there are too many right angle bends proposed on foul drain. The number of right angle bends increase from 1 to 3 and this is not acceptable due to increased risk of blockage of foul pipe which would affect a number of houses.

2.3 The applicant does not own the land where proposed diversion of foul drain/sewer is proposed and permission from owner of same is not shown to be given.

2.4 A minimum of 225mm foul sewer is required for taking in charge and this would not be recommended to take in charge because of the high risk of blockages due to the increased number of right angle bends from 1 to 3 number on proposed foul drain/sewer.

2.5 Foul drain/sewer should be shown as a red line on drawing instead of a blue line.

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

Therefore because of the high risk of blockages of proposed foul drain/sewer water services recommend refusal of proposed development. The proposed development would be prejudicial to public health and proper planning.”

The diversion of the foul sewer was resolved prior to grant of permission under the previous application. Although present standards may have changed from those of 2009, it is considered appropriate to allow the applicant to propose alternative arrangements which might meet with Irish Water's approval, considering that the proposed development is acceptable in principle and complies with the zoning objective. The applicant should therefore provide **additional information**, and included within this submission should be any consents by adjoining land owners where, or if, diversion of the pipe through adjoining lands is required.

In relation to water supply, the Irish Water report recommends a request for additional information in order to show the watermain layout of the proposed development. This can be provided as **additional information**.

### **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.

### **Other Considerations**

#### **Development Contributions**

This is an application for a 1-bedroom house of 62.3sq.m.

### **SEA Monitoring**

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential	62.3
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.012



# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

### **Conclusion**

The proposed development is acceptable in principle. There are outstanding issues in relation to the redline boundary, bin storage, water supply and flood risk which require resolution prior to a grant of permission. It is therefore appropriate to seek additional information.

### **Recommendation**

Request Additional Information.

### **Additional Information**

Additional information was requested on 5<sup>th</sup> July 2021 and received on 10<sup>th</sup> January 2022.

### **Further Consultations**

Environmental Services:

- Surface Water                      Recommends clarification of additional information.
- Flood Risk                              Recommends Refusal

Irish Water

No objection, subject to conditions

### **Assessment of Additional Information**

#### **Item 1**

There is an issue apparent from the elevation and plan drawings submitted. The development would appear to overhang the site to the north-west which is in separate ownership. The applicant is requested to confirm by additional information whether the development would infringe upon lands outside the ownership of the applicant, and if so, the applicant should also provide a letter of consent from the adjoining land owner or failing this submit revised plans and elevations showing the proposal fully within the redline boundary. The applicant may also need to re-advertise as this might constitute significant additional information.

#### **Response**

The applicant has amended the elevation drawings submitted to show that all roof details are proposed to be flush to the wall and therefore the boundary.

#### **Assessment**

The response addresses the issue and is acceptable.

#### **Item 2**

The applicant is proposing works outside the red line boundary indicated on the Site Location Map. Specifically, the applicant is proposing to alter the vehicular entrance to the existing house. The red line should be amended to take in the entire site, and this can be done by way of additional information. The applicant may also need to re-advertise as this might constitute significant additional information.

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

### Response

The applicant has opted not to alter the red line. The proposed development will now utilise the existing vehicular access (currently the site boundary features two separate accesses).

### Assessment

The proposal is acceptable and addresses the issues contained in the item.

### **Item 3**

The proposed development is located in an area that is a risk of 1 in 100 to 1 in 1,000 flood risk event. The applicant is requested to submit a report to show the flood risk of proposed development and also show what mitigation measures are proposed for the development. As per section 11.6.1 (i) of the South Dublin County Development Plan 2016 - 2022, the Flood Risk Assessment shall be prepared by an appropriately qualified Chartered Engineer or equivalent, in accordance with the Flood Risk Management Guidelines, and to appropriate detail for the scale of development.

The applicant is also requested to confirm, or provide alternative plans showing, finished floor levels of at least 500mm above highest known flood level on the site.

### Response

The applicant has submitted a Flood Risk Assessment which states that the **proposed finished floor level is 420mm above the 1 in 100 year flood event level, and 850mm below the 1 in 1000 year flood level.** The applicant has proposed the following mitigation measures:

- (1) Flood barrier to ground floor windows and doors
- (2) External rising walls up to 1.35m above finished floor level will be constructed from concrete or tanked blockwork to provide a watertight anti-flood protection.
- (3) All services entering or leaving the property will be tanked/sealed appropriately and anti-backflow devices fitted to all drains entering or leaving the house.

The applicant has provided drawings and example product details. The Flood Risk Assessment similarly lists emergency measures in the event of a flood – these are essentially that occupants should leave the house or remain upstairs.

### Assessment

The Environmental Services Department has recommended refusal. Their report states:

Based on submitted flood risk study and also OPW flood CFRAM maps the site is located in a 1 in 1,000 year flood zone area. There is a risk of flooding of 1m to 1.5m on site for 1:1,000 flood event. The proposed floor level is 150mm above ground level and so the proposed development is at risk of between 1m and 1.35m flooding for a 1 in 1,000 year flood event.

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

Proposed mitigation measures are not sufficient such as people leaving the site or moving up-stairs in such a flood.

Additionally, I have spoken with Environmental Services.

The proposed mitigation measures listed above would essentially seal the building in the event of a flood. Measures 2 and 3 are to be delivered during construction, but the 1<sup>st</sup> listed measure, relies on occupants installing temporary flood barriers at the appropriate time. The Environmental Services Department are not satisfied with this solution.

The County Development Plan states in Policy IE3 Objective 3, that flood risk should be managed in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities, DECLG and OPW (2009). Those guidelines recommend a Justification Test for highly vulnerable development in Flood Zone B areas. Residential development is considered to be 'highly vulnerable' and 'Flood Zone B' covers areas that are liable to flood in a 1 in 1000 year event.

The Justification Test however can be set aside in favour of a different assessment in relation to infill or minor development. Section 5.28 of the guidelines reads as follows:

“Applications for minor development, such as small extensions to houses, and most changes of use of existing buildings and or extensions and additions to existing commercial and industrial enterprises, are unlikely to raise significant flooding issues, unless they obstruct important flow paths, introduce a significant additional number of people into flood risk areas or entail the storage of hazardous substances. Since such applications concern existing buildings, the sequential approach cannot be used to locate them in lower-risk areas and the Justification Test will not apply. However, a commensurate assessment of the risks of flooding should accompany such applications to demonstrate that they would not have adverse impacts or impede access to a watercourse, floodplain or flood protection and management facilities. These proposals should follow best practice in the management of health and safety for users and residents of the proposal.”

Though the text does not specifically speak to an infill house in a residential area, it is referenced as such as part of the Justification Test in section 5.15 of the guidelines. It is considered therefore that the underlined text above applies in this case.

The applicant's Flood Risk Assessment makes an assessment of the impact of the proposed development on residual flooding in the area, and some of the above criteria. It is considered that, given the scale and the infill nature of the development (which is located within an existing residential area), it would not have an adverse impact on or impede access to a watercourse,

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

floodplain or flood protection and management facility. It is also noted that the development, by way of its scale, is of a different order to any prospective multi-unit development or larger infill proposal. It is considered that the proposed mitigation measures contained in the applicant's FI response are the best possible proposals for limiting flood risk to the property. Therefore, it is considered that permission can be **granted**, subject to the mitigation measures proposed in the applicant's FI response and the Flood Risk Assessment document.

### **Item 4**

The applicant is requested to submit:

- (a) a report showing percolation test results for proposed soakaway as per BRE Digest 365 Standards.
- (b) a drawing in plan and cross-sectional view showing design details of proposed soakaway as per BRE Digest 365 Standards.
- (c) a drawing showing what additional SuDS (Sustainable Drainage Systems) is proposed such as permeable paving for proposed development, including any proposals for water butts in proposed development as part of SuDS.

### Response

The applicant has submitted a test report and details of the soakaway design.

### Assessment

The Environmental Services Department has sought clarification of additional information and commented as follows:

“It is unclear who carried out percolation tests or if percolation tests were carried out on site or if results and best estimates from a desk study.

Percolation tests are required by a suitably qualified person/s and shall be carried out on site as per BRE Digest 365 standards. Comments on results should also be submitted in a report to state how proposed soakaway results comply with BRE Digest 365 Standards.”

It is considered that this aspect of the proposal can be resolved by **condition** and prior to commencement of works.

### **Item 5**

The applicant is requested to submit a drawing showing the watermain layout of proposed development.

### Response

The applicant has provided a watermain layout drawing.

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

### Assessment

Irish Water has stated no objection subject to connection agreements. The response is taken to be acceptable.

### **Item 6**

SDCC notes the comments of Irish Water:

2.1 The proposed development appears to be located over an existing foul drain that serves a number of houses.

2.2 The proposed diversion of existing foul drain to an area outside the boundary of site is not recommended because there are too many right angle bends proposed on foul drain. The number of right angle bends increase from 1 to 3 and this is not acceptable due to increased risk of blockage of foul pipe which would affect a number of houses.

2.3 The applicant does not own the land where proposed diversion of foul drain/sewer is proposed and permission from owner of same is not shown to be given.

2.4 A minimum of 225mm foul sewer is required for taking in charge and this would not be recommended to take in charge because of the high risk of blockages due to the increased number of right angle bends from 1 to 3 number on proposed foul drain/sewer.

2.5 Foul drain/sewer should be shown as a red line on drawing instead of a blue line.

Therefore because of the high risk of blockages of proposed foul drain/sewer water services recommend refusal of proposed development. The proposed development would be prejudicial to public health and proper planning.'

The applicant is requested to provide:

(a) an alternative arrangement for foul sewer diversion which addresses the concerns contained in the Irish Water report.

(b) letter of consent from the adjoining property owners if diversion is required through adjoining lands.

### Response

The applicant has provided a revised proposal to retain the existing foul drain under the proposed house with the existing manholes, but that the existing section of sewer between the manholes will be replaced with a new section to Irish Water specification. Additionally, the foundations of the house will be carried to a level lower than the invert of the lowest part of the drains and be terminated either side of the drain, with load-bearing walls bridged over the drain. The applicant has provided supporting drawings.

### Assessment

Irish Water has stated no objection subject to connection agreements. The response is taken to be acceptable.

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

### **Item 7**

Neither house, as shown, would have access to the rear garden. The applicant is requested to show by of additional information, what arrangements are proposed for the storage of bins to either house in both front gardens. Adequate storage meeting waste management standards for both properties should be provided.

### Response

The applicant has provided design details for a bin store for each house, and the location of bin stores for each house is provided on the Site Layout Plan.

### Assessment

The response addresses the issue in the FI item and is acceptable.

### **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.

### **Other Considerations**

#### **Development Contributions**

This is an application for a 1-bedroom house of 62.3sq.m.

### **SEA Monitoring**

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential	62.3
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.012

### **Conclusion**

The applicant has provided a sufficient response to the issues raised in the request for additional information. The proposed development would, subject to conditions attached herewith, comply with the 'RES' land-use zoning objective and other relevant policies and objectives of the South Dublin County Development Plan 2016 – 2022, and would not be injurious to the character or

# **Comhairle Chontae Atha Cliath Theas**

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

amenities of the area, and would therefore accord 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, and as amended by Further Information received on 7th January 2022 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. Flood Risk.  
The mitigation measures proposed in the applicant's further information response letter and Site-Specific Flood Risk Assessment shall be applied in full during construction and occupation of the development.  
REASON: To ensure the best protection against flood risk.
3. Roads.
  - (a) The vehicular access points shall be limited to a width of no more than 3.5 metres for both existing and proposed dwelling.
  - (b) Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
  - (c) As per the submitted particulars, boundary walls shall not be located to the front of the

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

permitted house.

REASON: To protect local amenities and pedestrian and road safety.

4. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

5. Drainage - Surface Water.

(a) 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 to the satisfaction of the Planning Authority, and after consultation if necessary with the Environmental Services Department, details relating to the percolation test undertaken on-site which show that the test was:

(i) undertaken by a suitably qualified person/s and

(ii) carried out on site as per BRE Digest 365 standards.

Comments on results should also be submitted in a report to state how proposed soakaway results comply with BRE Digest 365 Standards.

(b) 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.

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

(d) The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance and shall include documented evidence of infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365.

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:

(i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.

(ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.

(iii) a minimum of 10m from any sewage treatment percolation area.

(iv) at least 10m from any stream / river / flood plain.

In addition only rainwater shall be discharged to soakaways.

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



# **Comhairle Chontae Atha Cliath Theas**

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

6. House Number.

The number of the house shall be 20A, and this number shall be placed on the completed house prior to its occupation in a manner so as to be clearly legible from the public road.

REASON: In the interests of the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

7. External Finishes.

All external finishes shall be as per the submitted plans and particulars.

REASON: In the interest of visual amenity.

8. Restriction on Use.

The house shall be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

REASON: To prevent unauthorised development.

9. Occupation subject to service connection.

The dwelling unit shall not be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.

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

10. 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.

11. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no 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 be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor 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

# Comhairle Chontae Atha Cliath Theas

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

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 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.

### 12. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €6,509.73 (six thousand five hundred and nine euros and seventy three 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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0164/22**

## **Record of Executive Business and Chief Executive's Order**

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.

**Comhairle Chontae Atha Cliath Theas**

**PR/0164/22**

**Record of Executive Business and Chief Executive's Order**

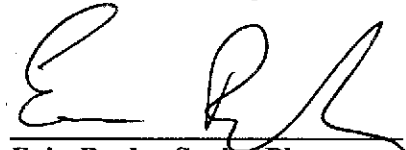
**REG. REF. SD21A/0108**

**LOCATION: 20, Woodford Park Road, Dublin 22**

*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:** 7/2/22

  
\_\_\_\_\_  
**Eoin Burke, Senior Planner**