

Comhairle Chontae Atha Cliath Theas

PR/0136/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0255 **Application Date:** 14-Sep-2021
Submission Type: Additional **Registration Date:** 07-Jan-2022
Information
Correspondence Name and Address: Loretta Kennedy 19, Greenville Terrace, Dublin 8.
Proposed Development: Construction of 2 three storey dwellings and associated ancillary site works.
Location: Hawthorns, Killakee Lawns, Firhouse, Dublin 24
Applicant Name: Teresa & Sean Butler
Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: Stated as 0.180 hectares.

Site Description:

The site is located on Killakee Lawns, in the rear garden of a detached bungalow ('Hawthorns'), which fronts onto Firhouse Road but is accessed from Killakee Lawns. The surrounding area is predominantly residential in nature with several other sites that have constructed backland/rear garden dwellings.

Site visited

28 October 2021

Proposal:

Permission is sought for the following:

- Construction of **two houses** (three storey, 3-bedroom detached)
- Parking for 2 vehicles.
- Access via existing access from Killakee Lawns

Zoning:

The site is zoned objective RES – *'To protect and/or improve Residential Amenity.'*

Consultations:

Surface Water Drainage – Further information recommended
Irish Water – Further information recommended
Roads Department – No objection, conditions recommended
Parks – Further information recommended

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Submissions/Observations /Representations:

Submission expiry date – 18/10/2021

No submissions or objections received.

Relevant Planning History

None for subject site.

Adjacent sites

SD21A/0249: Construction of 4-bedroom dormer bungalow and associated landscaping, services and car parking for 2 vehicles. **Final decision outstanding, additional information requested.**

SD21B/0487: New vehicular entrance, dishing and alterations to gated entrance. **Decision outstanding, due no later than 8 November 2021.**

SD03A/0033: Two semi-detached 2-storey dwellings with off street parking located to the rear of 8 Firhouse Road and accessed from Kilakee Green. **Permission granted.**

Relevant Enforcement History:

None recorded.

Pre-Planning Consultation:

None recorded

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

Section 2.4.0 Residential Consolidation – Infill, Backland, Subdivision & Corner Sites

Policy H17 Residential Consolidation

Policy H17 Objective 2:

To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

Policy H17 Objective 5:

To ensure that new development in established areas does not impact negatively on the amenities or character of an area.

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Table 11.20: Minimum Space Standards for Houses

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<i>Type of Unit</i>	<i>Houses</i>	<i>Private Open Space</i>
<i>One Bedroom</i>	<i>50sq.m</i>	<i>48sq.m</i>
<i>Two Bedroom</i>	<i>80sq.m</i>	<i>55sq.m</i>
<i>Three Bedroom</i>	<i>92sq.m</i>	<i>60sq.m</i>
<i>Four Bedroom or more</i>	<i>110sq.m</i>	<i>70sq.m</i>

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 11.3.2 (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.*
- *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 treatments, 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).*

Section 11.3.2 (iii) Backland Development

The design of development on backland sites should meet the criteria for infill development in addition to the following criteria:

- *Be guided by a site analysis process in regard to the scale, siting and layout of the development.*
- *Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area.*
- *Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking.*
- *Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.*

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Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

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 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

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Policy G4 Public Open Space and Landscape Setting
Policy G5 Sustainable Urban Drainage Systems
Policy G6 New Development in Urban Areas
Section 9.3.1 Natura 2000 Sites
Policy HCL12 Natura 2000 Sites
Section 11.6.1 (i) Flood Risk Assessment
Section 11.6.1 (ii) Surface Water
Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)
Section 11.6.1 (iv) Groundwater
Section 11.6.1 (v) Rainwater Harvesting
Section 11.6.1 (vi) Water Services
Section 11.7.2 Energy Performance in New Buildings
Section 11.8.1 Environmental Impact Assessment
Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018

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

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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, (2008).

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).

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research

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Establishment, (1991).

Assessment

The main issues for assessment relate to the following items:

- Zoning and Council policy,
- Residential and Visual Amenity,
- Public Realm,
- Services and Drainage,
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIAR).

Zoning and Council Policy

The site is zoned objective RES – *'To protect and/or improve Residential Amenity.'* Residential development, including the construction of a house, is 'Permitted in Principle' under this zoning objective.

Residential and Visual Amenity

The proposed development comprises two, 3-storey, three-bedroom detached houses and would represent infill garden development within an established residential area. From the front the houses would appear two-storey, with dormers provided to the rear to facilitate the third storey master bedrooms.

The development would involve the construction of two detached dwellings approximately 9m in height. Access is provided via the existing entrance on Killakee Lawns which also serves, and will continue to serve, the existing dwelling at the north west of the site. 'House 1' appears to be built up to the western boundary of the site while 'House 2' is located a minimum of 4.857m from the site boundary to the north.

The proposed units are located approximately 22m from the rear of the existing bungalow on the site and this is considered to be acceptable. Each unit is provided with rear garden access to facilitate the storage of bins and movement of other large items. It is noted that there are discrepancies on the site location plan, site layout plans and ground floor plan regarding the location of the rear access to 'House 2'. This can be addressed by way of **additional information**.

There is a two-storey house located to the south west of the dwellings, within 11m of 'House 1'. The units are setback from the front building line of this property. A contiguous elevation has not been provided and should be requested as **additional information**, in order to assess the impact of the proposed dwellings on the streetscape.

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The existing access serving 'Hawthorns' is proposed to serve all 3 dwellings. It is noted from drawings and a site visit that access onto Killakee Lawns is already shared by the existing dwelling north of the site, 'Hawthorns', and the dwelling on the adjacent site to the south west, 'Killinenny Bungalow'. To ensure this access remains safe, a **condition** should be attached to any grant of permission restricting the height of entrance pillars or vegetation at the primary shared site entrance. It is noted from drawings that a new entrance gateway is proposed to serve Hawthorns at the northern site boundary. This is considered acceptable to ensure the security of the existing property at the site.

It is considered that the scale and design of the proposed dwellings is in keeping with the character of the area. Separation distances between existing and proposed units in the area are considered acceptable and there are no concerns regarding privacy or overlooking. To address inconsistencies in the site layout plans and assess the full impact of the development on the streetscape, **additional information** is required.

Accommodation Standards

The proposed development comprises 2 three storey, three bedroom (5 person) detached properties. The guidance on internal accommodation within dwellings is detailed in *Quality Housing for Sustainable Communities: Best Practice Guidelines* (2007). As per the 2007 Guidelines, the target gross floor area for 3 bedroom, 5 person, three storey dwelling is 102sq.m. The submitted Housing Quality Assessment states that 'House 1' is 134.7sq.m and 'House 2' is 134.1sq.m. This is considered acceptable.

As per the 2007 Guidelines, a minimum of 5sq.m of internal storage should be provided. Both units provide 4.6sq.m, excluding the utility/store areas. This is considered acceptable in this instance as the utility rooms would provide some additional storage, though it is inappropriate to count them in the overall storage total as they are not for use singularly as storage.

All bedrooms comply with the standards contained within the 2007 Guidelines, and the minimum aggregate living areas are exceeded for both units.

The minimum open space requirements for a three-bedroom house is 60sq.m. Each unit has approximately 60sq.m of private amenity space to the rear and this is considered acceptable. Given the constrained nature of the sites, it is considered appropriate that a **condition** be attached to any grant of permission restricting the exempted development rights of the units, preventing further rear extensions or the construction of large rear garden structures. This is to protect the quantum of private open space provided for each unit.

As per the above, the units meet and exceed relevant standards and are considered to provide adequate residential accommodation.

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Roads

The Roads Department has reviewed the application and has no objection subject to **conditions** relating to driveway width, boundary walls and access/egress arrangements being attached. An extract of the report states:

- 1. The vehicular access points shall be limited to a width of 3.5 to 4.2 meters. If providing*
- 1. The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
- 2. All vehicles parked in the driveways must turn within the site and exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*
- 3. The applicant shall submit a revised layout showing 6.0m reversing space behind perpendicular car parking spaces.*

These conditions are considered reasonable and should be attached to any grant of permission or could be requested as **additional information** in the event that other items are being sought.

Public Realm

The Public Realm Section has reviewed the application and recommended **conditions** and **additional information**, in the event of a grant. An extract from the report states:

Protection of Existing Street Tree

In order to ensure the protection of the existing street tree in adjacent grass margin, suitable tree protection fencing must be erected prior to all construction operations occurring on site. This tree protection fencing must be in accordance with BS 5837: 2012.

Landscape Plan

A landscape scheme shall be provided which helps to integrate the development into the local landscape and through suitable boundary planting provides visual screening, mitigation of negative visual effects and which improves local biodiversity and green infrastructure links.

This report has been considered in the assessment of the proposed dwellings.

Services and Drainage

Surface Water Drainage has stated that **additional information** is required in relation to soil percolation tests and revised drawings, in plan and cross-sectional view are required in relation to the proposed soakaways. An extract from the report states:

- (1) There are no soil percolation test results submitted for the proposed soakaways. The*

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applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

- (2) The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaways based on site specific soil percolation tests. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - (a) At least 5m from any building, public sewer, road boundary or structure.*
 - (b) Generally, not within 3m of the boundary of the adjoining property.*
 - (c) Not in such a position that the ground below foundations is likely to be adversely affected.*
 - (d) 10m from any sewage treatment percolation area and from any watercourse / floodplain.**
- (3) The applicant is requested to investigate the potential to include an overflow connection from the proposed soakaways to the public surface water network.*

Irish Water has reviewed the application and requests additional information. An extract from their report states:

1. Water

- a. In order to assess the feasibility of a connection to public 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 water/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. Foul

- a. The applicant is required to submit a revised wastewater drainage layout for the proposed development which shows an individual wastewater connection from each dwelling to the public wastewater network.*
- b. In order to assess the feasibility of a connection to public wastewater infrastructure further information is requested as follows;
 - i. 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/>.**

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Further information should be sought on the above issues.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 sites, it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

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.

SEA Monitoring Information

SEA Monitoring Information	
Building Use Type Proposed	2 houses
Floor Area (sq.m)	268.8sq.m
Land Type	Brownfield
Site Area	0.180

Conclusion

Request additional information in relation to the following:

- Revised drawings showing rear access arrangements for House 2 consistently across all site layouts and floor plans.
- Contiguous elevations of the 2 houses and their surrounding context. Elevation must extend up to and including 49a Killakee Lawns to allow for a full assessment of the houses and their context.
- A revised site layout plan showing 6 m reversing space for all parking spaces and a reduced width of the vehicular access.
- A landscape scheme should be provided which helps to integrate the development into the local landscape and through suitable boundary planting provides visual screening, mitigation of negative visual effects and which improves local biodiversity and green infrastructure links.
- The applicant is requested to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
- The applicant is requested to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaways based on site specific soil

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- percolation tests.
- The applicant is requested to investigate the potential to include an overflow connection from the proposed soakaways to the public surface water network.
 - The applicant is requested 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 water/wastewater infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as additional information.
 - The applicant is requested to submit a revised wastewater drainage layout for the proposed development which shows an individual wastewater connection from each dwelling to the public wastewater network.

Recommendation

Request Further Information.

Further Information

Further Information was requested on 02/11/21

Further Information was received on 07/01/22

Consultations

Surface Water Drainage – No objection, recommended

Irish Water – No objection, recommended

Roads Department – No objection

Parks – No objection, recommended

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

Item 1: *The drawings submitted are inconsistent in relation to the rear access to House. The Site Location Map and Site Layout Plan show a different arrangement to that shown on the Site Layout and Proposed Ground Floor Plan. The applicant is requested to submit revised drawings confirming the proposed access arrangement.*

Item 2: *The applicant is requested to submit existing and proposed contiguous street elevations of the site and including at a minimum 49a Killakee Lawns, to allow for a full assessment of the impact of the units on the streetscape.*

Assessment

The applicant has submitted revised layout drawings that consistently show the rear access to House 2 along the properties northern boundary. The revised layouts submitted now consistently

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show this rear side access, the location of which is considered acceptable.

The applicant has also submitted contiguous street elevations showing how the proposed houses would be viewed in the context of existing residences in the area. It is considered that the houses would not have a detrimental impact on visual and residential amenity and are therefore considered acceptable in this context.

Item 3: *The applicant is requested to submit a revised site layout plan detail as follows:*

- (a) The vehicular access points shall be limited to a width of 3.5 to 4.2 meters.*
- (b) The applicant shall submit a revised layout showing 6.0m reversing space behind perpendicular car parking spaces.*

Assessment

The applicant has submitted a revised site layout showing an entrance width of 4m, and a 6m reversing space behind perpendicular car parking spaces. The Roads Department has reviewed the application and has stated they are satisfied with the response. No additional **conditions** have been recommended.

Having reviewed the following recommended condition from the Roads report:

- 1. All vehicles parked in the driveways must turn within the site and exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*

It is considered that this condition should be omitted as it is unenforceable.

Item 4: *The applicant is requested to submit a comprehensive scheme of landscaping which includes boundary planting. The landscape scheme shall help to integrate the development into the local landscape and through suitable boundary planting provides visual screening, mitigation of negative visual effects and which improves local biodiversity and green infrastructure links.*

Assessment

The applicant has submitted a landscaping scheme detailing boundary planting. The Parks Department has reviewed the further information and has stated no objection subject to the following conditions:

(1) Landscape Plan

Prior to the commencement of any works on site the applicant, owner or developer shall lodge with the Planning Authority; A fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's

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Public Realm Section. The landscape Plan shall include hard and soft landscape details. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- (a) a scaled plan showing vegetation to be retained and trees and plants to be planted:*
- (b) proposed hardstanding and boundary treatment:*
- (c) a schedule detailing sizes and numbers of all proposed trees/plants*
- (d) Sufficient specification to ensure successful establishment and survival of new planting.*

Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details.

(2) TREE PROTECTION

Prior to the commencement of any works on site the applicant, owner or developer shall have lodged with the Planning Authority; a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS)

Specific issues to be dealt with in the TPP and AMS include:

- (a) Location and installation of services/ utilities/ drainage.*
- (b) Where applicable; methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.*
- (c) Details of construction within the RPA or that may impact on the retained trees.*
- (d) A full specification for the installation of boundary treatment works.*
- (e) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing. (Protective Fencing to be in accordance with BS 5837: 2012)*
- (f) Tree protection Area during construction indicated on a TPP and construction activities clearly identified as prohibited in this area.*

(3) Tree Bond

A tree bond of €1,500 (one thousand five hundred euros) shall be lodged with the Planning Authority to ensure the protection of the existing street tree in the grass margin during the course of the development works. The release of the bond will be considered a minimum 12 months after the completion of all site works at the discretion of the Landscape/Public Realm Section. This will involve assessment of whether the trees specified for retention have been preserved in their prior condition and have suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection.

(4) Protection of Street Tree in Grass Margin

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In order to ensure the protection of the existing street tree to the side of this proposed development, suitable tree protection fencing should be installed in order to protect the existing tree during construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection area.

It is considered appropriate to attach the recommended **conditions** to ensure a suitable landscape scheme is implemented and that existing green infrastructure is protected as part of the works.

Item 5: *There are no soil percolation test results submitted for the proposed soakaways. The applicant is requested to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 -Soakaway Design.*

Item 6: *The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaways based on site specific soil percolation tests. 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*

Item 7: *The applicant is requested to investigate the potential to include an overflow connection from the proposed soakaways to the public surface water network.*

Assessment Items 5, 6 and 7

The applicant has submitted revised design calculations based on soil percolation tests completed at the site. In addition, drawings have been submitted showing the location of proposed soakaways and details of an overflow connection to the public surface water network. The Drainage department has reviewed the further information submitted and have stated no objection to the development.

Item 8: *In order to assess the feasibility of a connection to public water infrastructure further information is requested as follows:*

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The applicant is requested to engage with Irish Water through the submission of a PreConnection Enquiry (PCE) in order to determine the feasibility of connection to the public water/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/getconnected/>.

Item 9: *In order to assess the feasibility of a connection to public wastewater infrastructure further information is requested as follows;*

The applicant is requested to engage with Irish Water through the submission of a PreConnection 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. Preconnection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Item 10: *The applicant is requested to submit a revised wastewater drainage layout for the proposed development which shows an individual wastewater connection from each dwelling to the public wastewater network.*

Applicant Response: *The wastewater drainage layout, DFK Drg. 21175-01A, has been revised to show an individual wastewater connection from each dwelling to the public wastewater network.*

Assessment Items 8, 9 and 10

The applicant has submitted pre-connection enquiries to Irish Water in relation to water and wastewater connections. Irish Water has issued a confirmation of Feasibility in response to each enquiry stating that connection is feasible without infrastructure upgrades. In addition a revised wastewater drainage layout has been submitted showing individual wastewater connections. Irish water have reviewed the further information submitted and have stated no objection subject to the following **conditions**:

Water

1.1 Prior to commencement of development the applicant shall enter into water connection agreements with Irish Water.

1.2 All works are to comply with Irish Water Standard Details for Water Infrastructure available at (<https://www.water.ie/connections/Wastewater-Standard-Details.pdf>)

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

Foul

2.1 Prior to commencement of development the applicant shall enter into wastewater connection agreements with Irish Water.

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2.2 *All works are to comply with Irish Water Standard Details for Wastewater Infrastructure available at (<https://www.water.ie/connections/Wastewater-Standard-Details.pdf>)*

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

Conclusion

Following a review of the further information submitted, the development subject to conditions, is considered to be consistent with the zoning objective 'RES' – 'To protect and/or improve residential amenity', and the relevant provisions in the County Development Plan 2016-2022 and is considered acceptable.

Other

Development Contributions

House 1 – 134.7sq.m

House 2 – 134.1sq.m

SEA Monitoring Information

SEA Monitoring Information	
Building Use Type Proposed	2 houses
Floor Area (sq.m)	268.8sq.m
Land Type	Brownfield
Site Area	0.180

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development 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. It is considered that the proposal would be consistent with Council policy in relation to houses in infill sites.

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.

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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 07/01/2022, 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. Permission Required for Class 1 & 3 Exemptions.
Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Part 1 of Schedule 2 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.
REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.
3. Access Arrangements
The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
REASON: To ensure safe access and egress to the site in the interests of traffic and pedestrian safety.
4. Tree Bond
A tree bond of €1,500 (one thousand five hundred euros) shall be lodged with the Planning Authority to ensure the protection of the existing street tree in the grass margin during the course of the development works. The release of the bond will be considered a

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minimum 12 months after the completion of all site works at the discretion of the Landscape/Public Realm Section. This will involve assessment of whether the trees specified for retention have been preserved in their prior condition and have suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection.

REASON: In the interest of the proper planning and sustainable development of the area, street-tree protection, and the maintenance of the county's green infrastructure in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

5. Protection of Street Tree in Grass Margin

In order to ensure the protection of the existing street tree to the side of this proposed development, suitable tree protection fencing shall be installed in order to protect the existing tree during construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection area.

REASON: To ensure the safety and well-being of the trees on and adjacent to the subject site that are to remain after building works are completed, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

6. Irish Water

All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure and Wastewater Infrastructure

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

7. Irish Water Connection Agreements

Prior to commencement of development the applicant shall enter into water connection and wastewater connection agreements with Irish Water.

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

8. Restriction on Use.

The houses shall each 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. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for

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broadband throughout the site in accordance with the Planning Authority's policy and requirements.

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

10. House Number.

The number of the houses shall be 51 & 53, 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.

In the event that this number already exists, the applicant, owner or developer shall agree a name and number in writing with the Planning Authority;

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

11. 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.

12. 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 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

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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.

13. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €28,086.91 (twenty eight thousand and eighty six euros and ninety one 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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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NOTE: The applicant is advised that, in order to use the attic in each dwelling as a habitable room, it must comply with the Building Regulations.

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: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

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REG. REF. SD21A/0255

LOCATION: Hawthorns, Killakee Lawns, Firhouse, Dublin 24

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: 3/2/22


Eoin Burke, Senior Planner