

Comhairle Chontae Atha Cliath Theas

PR/0145/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0606 **Application Date:** 02-Dec-2021
Submission Type: New Application **Registration Date:** 02-Dec-2021

Correspondence Name and Address: Daithi O'Mahoney, Joe Fallon architectural Design Ltd 1A, Ryland Street, Bunclody, Co. Wexford

Proposed Development: Demolition of existing 2.8sq.m shed in rear garden abutting neighbouring structure; widening of existing vehicular entrance to 3.5m and all associated site works.

Location: 54, Templeville Road, Dublin 6w

Applicant Name: Will Poon & Claire Lenehan

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.042 Hectares on the application.

Site Visit: 23rd of December 2021.

Site Description

The subject site is located on Templeville Road within an existing housing estate in Dublin 6W. The site consists of a semi-detached, two-storey dwelling with a garage conversion. The streetscape is characterised by housing of a similar form and character.

Proposal

Permission for demolition of existing 2.8sq.m shed in rear garden abutting neighbouring structure; widening of existing vehicular entrance to 3.5m and all associated site works.

Zoning

The subject site is subject to zoning objective 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2016-2022.

Consultations

Water Services – no objection subject to conditions.

Irish Water – no objection subject to conditions.

Roads Department – no objection subject to conditions.

SEA Sensitivity Screening – no overlap indicated.

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Submissions/Observations /Representations

None received.

Relevant Planning History

Subject site

None.

Adjacent site

SD17B/0016

Demolition of existing front porch, side garage and rear shed and the construction of a new two storey extension to the side and a single storey front porch including a bay window, a single storey kitchen extension to the rear with part first floor return extension over, conversion of attic with rear dormer including a new roof light to the side, new landscaping generally, widening of front gates to driveway, drainage and ancillary site works. **Permission granted.**

Relevant Enforcement History

None relevant to the subject application.

Pre-Planning Consultation

None recorded for the subject application according to APAS.

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

7 Infrastructure & Environmental Quality

Policy IE1 Water & Wastewater

Policy IE2 Surface Water & Groundwater

Policy IE5 Waste Management

Policy IE6 Environmental Quality

11 Implementation

Section 11.3.1 Residential

Section 11.4.2 Car Parking Standards

Section 11.4.4 Car Parking Design and Layout

Section 11.6.5 Waste Management

Section 11.8.1 Environment Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

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

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

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

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The subject site is zoned objective RES – ‘*To protect and/or improve residential amenity*’ under the County Development Plan. The proposed development is related to residential development and is therefore permitted in principle under this zoning.

Visual and Residential Amenity

The proposed development would involve the demolition of a single storey detached shed to the rear of the dwelling. This structure is approx. 2.2m by 1.6m and adjoins the side boundary with No. 52 Templeville Road. The demolition of this structure is considered to be acceptable.

Access and Parking

The proposed development would also involve widening the existing vehicular entrance from 2.7m to 3.5m. The Roads Department has no objections to this subject to the following conditions:

1. *The vehicular access points shall be limited to a width of 3.5 meters.*
2. *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.*
3. *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.*
4. *Any gates shall open inwards and not out over the public domain.*
5. *All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*

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The condition relating to vehicles exiting the site in a forward direction is considered to be unenforceable and should not be conditioned. Otherwise the remaining conditions should be included in the event of a grant of permission.

Services and Drainage

Water Services and Irish Water have reviewed the proposed development and have no objections subject to standard conditions. These reports are noted and should be conditioned as such.

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.

Development Contributions

Demolition & vehicular entrance widening

Assessable area = Nil

SEA monitoring

Building Use Type Proposed: Demolition & vehicular entrance widening

Floor Area: N/A

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.042 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the nature and scale of the proposed development,

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

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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 in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Development Permitted
Permission is hereby granted solely for the development which is set out in the Statutory Public Notices and the description of development under Section 9 of the planning application form submitted.
REASON: In the interest of clarity, consistency and the proper planning and sustainable development of the area.
3. Vehicular Access
 1. The vehicular access points shall be limited to a width of 3.5 m.
 2. 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.
 3. 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.

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4. Any gates shall open inwards and not out over the public domain.

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

4. Drainage Services

(a) All development shall be carried out in compliance with Irish Water Standards codes and practices.

(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 works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal

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

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

5. 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.

6. 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

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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.

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.

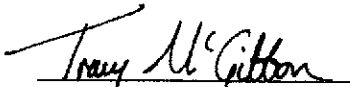
NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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**REG. REF. SD21B/0606
LOCATION: 54, Templeville Road, Dublin 6w**


**Tracy McGibbon,
A/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: 4/2/22


Eoin Burke, Senior Planner