

Comhairle Chontae Atha Cliath Theas

PR/0280/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0157 **Application Date:** 11-Jun-2021
Submission Type: Additional **Registration Date:** 02-Feb-2022
Information
Correspondence Name and Address: James McInerney Planning Consultant 8, Rochford Park, Kill, Co. Kildare
Proposed Development: Construction of attached, two storey three bedroom house and all associated site works.
Location: 1, Broadfield Court, Broadfield Manor, Rathcoole, Co. Dublin
Applicant Name: Brendan & Sheila Quinn
Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.0327 Hectares on the application.
Site Visit: 30th of June 2021

Site Description

The subject site is located on Broadfield Court within an existing housing estate in Rathcoole. The site consists of a two-storey, end of terrace dwelling with a pitched roof. The site adjoins an area of open space on the north-west side. The streetscape comprises of housing of a similar form and character.

Proposal

Permission is being sought for the construction of attached two storey, three bedroom house and all associated site works.

Zoning

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

Consultations

Water Services – no objection subject to conditions.
Irish Water – further information requested.
Roads Department – further information requested.
Parks & Landscape Services / Public Realm – no objections.

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SEA Sensitivity Screening – no overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject site

SD04B/0031

Two storey side extension. **Application withdrawn. Clarity was sought via Additional Information and Clarification of Additional Information in regard to site dimensions, site title(s) and compliance with the parent permission and amendment permissions.**

SD02A/0316

Change of house type and reduction by 3 dwellings to approved residential development.

Permission granted. Under this permission the number of dwellings in this terrace (Nos. 91 to 94) reduced from 4 no. to 3 no. Site 91 was removed and Site 92 now bordered the area of open space. The house type in this terrace also changed from House Type C to House Type H.

S00A/0781

Revision to site layout affecting roads 4 and 6 and Sites 91 to 98, relocation of houses on Sites 43 to 88 and 125 to 128, change of house type on Sites 129 to 132 and additional house on Site 129A to approved residential development. **Permission granted. The revisions to Site 91-98 were in relation to the front gardens and parking arrangement as affected by the repositioning of the section of Road 6 fronting said dwellings.**

S99A/0779

Residential development comprising 187 no. 2, 3 and 4 bedroom houses, inclusive of 7 no. bungalows on site no's 101-107 and ancillary works. **Permission granted.**

Adjacent and surrounding sites

S01A/0628

14 apartments and associated parking. **Outline permission refused.**

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

None recorded for subject site according to APAS.

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

2 Housing

Section 2.3.0 Quality of Residential Development

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

Policy H17 Residential Consolidation

Policy H17 Objective 3:

To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

7 Infrastructure & Environmental Quality

Policy IE 1 Water & Wastewater

Policy IE 2 Surface Water & Groundwater

Policy IE 3 Flood Risk

Policy IE 7 Environmental Quality

8 Green Infrastructure

Policy G1 Overarching

Policy G5 Sustainable Urban Drainage Systems

9. Heritage, Conservation & Landscapes

Policy HCL2 Natura 2000 sites

11 Implementation

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

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 11.3.2 (i) Infill Sites

Section 11.3.2 (ii) Corner/Side Garden Sites

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.6.0 Infrastructure and Environmental Quality

(i) Flood Risk Assessment

(ii) Surface Water

(iii)SUDS

(iv)Groundwater

(v) Rainwater Harvesting

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(vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 EIA

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).

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

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

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

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

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

Assessment

The main issues for assessment relate to:

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

Zoning and Council Policy

The proposed development is consistent in principle with zoning objective RES – *'To protect and/or improve residential amenity'*. The development of a dwelling is permitted in principle subject to its accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.2 (i) which relates to Infill Sites and (ii) Corner/Side Garden Sites.

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Planning History and Site Ownership

The subject application involves an increase in the site area so as to extend onto the area of open space to the north-west. It is noted that the parent permission for the site and overall housing estate, Reg. Ref. S99A/0779, has the following condition:

“Condition No. 6 That the areas shown as open space be levelled, soiled and seeded and landscaped to the satisfaction of the County Council and to be available for use by residents on completion of their dwellings. REASON: In the interest of the proper planning and development of the area”.

The trade-off is the construction of a house with a loss of public open space. Whilst the area of open space to the north-west of the subject site is zoned zoning objective RES (Residential) ‘*To protect and/or improve residential amenity*’, it is considered that as the public open space to be lost would be minimal and would not significantly impact on the total amount of public open space, the proposed development would be acceptable in principle. This would also accord with condition 6 above. Furthermore, this is an opportunity to improve the surveillance of the public open space from first floor level side elevation of the proposed dwelling. This should not be seen as a precedent. If a larger area of public open space were to be lost to housing, then the Planning Authority would have serious concerns.

The applicant has stated that the site is owned by two different parties. They state that the southern part of the site (identified as Folio DN160605F on a submitted map) is registered to Meadowtree Construction Limited, from which a letter of consent is provided with the application. The applicant states that the northern part (outlined on the submitted Land Registry Compliant Map) is awaiting registration by The Property Registration Authority to the applicant. Further clarification is required around the ownership of the site. **The applicant should be requested to address this via Additional Information.**

Residential Amenity

Existing residential amenity

The proposed dwelling would directly adjoin the existing dwelling at No. 1 Broadfield Court at its gable end. The proposed dwelling would be two storeys in height with a single storey projection to the rear. The existing side boundary wall would be removed and replaced with a new 2.0m high block wall, which would be brick capped, rendered on the outside face and fair faced on the inside, in order to match the existing wall. **In the event of a grant of permission this should be conditioned to guarantee the boundary wall is an appropriate height and finish.** There would also be an approx. 1.8m high block wall constructed between rear gardens of the existing and proposed dwellings.

With regard to the existing dwelling, the proposed dwelling would be level with its existing front building line. The proposed dwelling would also be the same height as the existing dwelling,

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approx. 8.0m in overall height, and have a pitched roof with a gable end. The rear projection would also have a pitched roof and would be approx. 3.4m in overall height. The house would be setback approx. 11.4m from the rear boundary, approx. 0.8m to 0.95m from the western side boundary, and approx. 5.12m from the front boundary. As noted in the Roads Department report below the setback from the front boundary does not leave sufficient room (6.0m) for an on-site car park as required by Council policy. **The applicant should be requested to address this via Additional Information.**

The single storey rear projection would extend past the rear building line of the existing dwelling by approx. 3.0m. This projection would be setback approx. 8.4m from the rear boundary, approx. 2.7m from the eastern side boundary and approx. 0.95m from the western side boundary. Due to the length, height, and setback of this element from the boundary shared with the existing dwelling, it is not considered that this would have a significant impact on the existing residential amenity of the adjoining dwelling.

The proposed dwelling would be similar in form and design to the existing dwelling at No. 1. The elevational treatments of the proposed dwelling would be similar, and the proposed materials of the dwelling would be concrete roof tiles, brick finish to the front elevation and render finish to the rear and side elevations to match the existing dwelling. This is considered to be acceptable and in compliance with Council policy.

Standard of proposed accommodation

The existing and proposed dwellings would meet the minimum space standards for houses, as per Table 11.20 of the CDP. The proposed dwelling would be approx. 108.41sq.m in size with a private amenity space of approx. 67.76sq.m. The rear amenity space remaining for existing dwelling would be approx. 62.52sq.m, which is sufficient and in compliance with the CDP requirements. The proposed dwelling includes 3 new bedrooms, which would all meet the minimum floorspace requirements of the CDP.

There appears to be an existing outbuilding on the site to the side of the existing dwelling. No detail has been provided on this structure and it is not shown on the site layout. If the structure is to be removed the applicant should state as such in their application. If it is to remain it needs to be accurately shown on the proposed drawings, including the site layout drawing, and the planning history for this clarified. **These details can be provided by way of Additional Information.**

The proposal would remove the gable end windows from the existing dwelling. The floor plans show rooflights would be installed in the existing and proposed dwellings to provide daylight and seemingly compensate for the loss of the gable end windows. However, the proposed rooflights are not shown on the proposed elevations, section or on a roof plan. **The applicant should be requested to clarify this via Additional Information.**

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Regarding storage, the minimum requirement for a two-storey dwelling of this size of 5sq.m. The applicant has stated that approx. 5.39sq.m of storage space would be provided, as shown on the floor plans. This would comply with the storage space requirements.

The applicant has also submitted a drawing showing that the proposed dwelling would be setback approx. 30.0m from the motorway (N7).

Visual Amenity

The area is characterised by two-storey terraced and semi-detached dwellings with pitched roofs. The proposed development would involve the construction of a two-storey end of terrace dwelling with a single storey rear projection.

Section 11.3.2 (ii) sets out a number of criteria in relation to residential development within corner/side garden sites that include:

- the size of the site and its ability to accommodate a dwelling,
- the design and building line,
- the architectural language,
- the building line and height,
- and the inclusion of dual frontage

The criteria are addressed as follows:

- With regard to the size of the site, the current side of the existing dwelling is approx. 5.3m in width, however, it is noted the actual subject site extends approx. 7.0m. The existing side boundary would be removed, and a new boundary wall built further north-west. A width of approx. 7.0m is noted as being quite narrow, however, a smaller scale dwelling is likely to be accommodated within this space. The site adjoins an area of open space to the side and will directly adjoin the gable end of the existing dwelling.
- The proposed dwelling has been designed to match the existing dwelling (and dwellings in the streetscape) in terms of form and character. The dwelling would align with the front building line of the existing dwelling and have a single storey projection past the rear building line. The proposed roof would conform with the roof of the existing dwelling.
- The architectural language of the proposed development is considered to respond to the existing character of the adjacent dwellings. The proposed side boundary would match the existing side boundary in terms of height and materials.
- The proposed dwelling would align with the height and front building line of the existing dwelling. It would therefore read well with the existing dwelling and integrate with the adjoining buildings.
- The proposed dwelling would have a gable end that faces an area of open space. On the gable end it is proposed to include two windows, one at ground level in a bathroom and

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one at first floor level in the landing. **The applicant should be requested via Additional Information to include additional window(s) at first floor to habitable room(s) to improve passive surveillance onto the adjoining area of open space. The applicant should submit revised floor plans, elevations and sections demonstrating the location of any additional window(s).**

Services and Drainage

Water Services has reviewed the proposed development and has no objections subject to conditions:

Surface Water Report

1.1 Prior to commencement of development submit a report and drawing showing what SuDS (Sustainable Drainage Systems) are proposed for the development.

Examples of SuDS include rain gardens, permeable paving and other such SuDS.

1.2 Include water butts in proposed development as part of SuDS (Sustainable Drainage System).

Flood Risk

- The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*
- All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.*
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

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

Irish Water has reviewed the proposed development and request further information as follows:

1 Water

1.1 Obtain a letter of confirmation of feasibility from Irish Water regarding proposed development.

1.2 Submit a letter to clarify ownership of proposed and existing site in its entirety.

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

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

2 Foul

2.1 Submit a drawing to clearly show foul drain layout of proposed development up to and including the point of connection to the public foul sewer.

2.2 Submit a letter to clarify ownership of proposed and existing site in its entirety.

2.3 Submit a letter of confirmation of feasibility for proposed development from Irish Water.

Submit a drawing showing the existing foul drain layout of site.

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- *Prior to the commencement of development the applicant or developer shall enter into waste water connection agreement(s) with Irish Water.*

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

It is recommended that the applicant addresses these concerns by way of Additional Information.

Access and Parking

The Roads Department has reviewed the proposed development and requests further information:

The applicant intends to construct a two storey three-bedroom house, with two car parking spaces.

It appears that there is insufficient space on the driveway, there should be a 6.0m distance between the front elevation and the front boundary.

Roads department is not sure of the land ownership shown in the submission, there need to be more details submitted as the green spaces shown could be taking into SDCC's charge, Parks department consent and confirmation on the taking in charge of the green spaces are required. Roads recommend that additional information be requested from the applicant:

1. It appears that there is insufficient space on the driveway, there should be a 6.0m distance between the front elevation and the front boundary.

2. Roads department is not sure of the land ownership shown in the submission, there need to be more details submitted as the green spaces shown could be taking into SDCC's charge, Parks department consent and confirmation on the taking in charge of the green spaces are required.

As the Roads Department has stated, a full 6m is required to park a car in the front curtilage. **The applicant should be requested to address this via Additional Information. This might involve further setting back the proposed dwelling from the front boundary. In doing so the applicant should be satisfied that sufficient rear amenity space is provided in order to comply with Council policy.**

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

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from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Conclusion

Having regard to the:

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

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

Recommendation

Request Further Information.

Further Information

Further Information was requested on the 5th of August 2021.

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

Further Information Consultation

Water Services – clarification of further information requested in regard to surface water drainage.

Irish Water – clarification of further information requested in regard to foul water drainage.

Roads Department – no objections subject to conditions.

Parks & Landscape Services / Public Realm – no report received.

Assessment

Item 1 Requested

It appears that there is insufficient space on the driveway to provide for a car parking space. There should be a 6.0m distance between the front elevation and the front boundary to provide for this. The applicant is requested to submit a revised proposal that provides for a 6.0m distance between the front elevation of the proposed dwelling and the front boundary of the site. This might involve further setting back the proposed dwelling from the front boundary. In doing so the applicant should be satisfied that sufficient rear amenity space for the proposed dwelling can be provided in compliance with Council policy.

Assessment: The applicant has submitted revised drawings that demonstrate that the proposed dwelling has been further setback from the front boundary to approx. 6.0 m to 6.5 m. This provides sufficient space to provide for car parking onsite. The Roads Department have reviewed the further information submitted and have no objections subject to the following conditions:

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1. *The applicant shall maintain 2 no. on-curtilage parking spaces at both existing/proposed house.*
2. *Relocation of public light pole shall be at applicant's expense if necessary.*
3. *Footpath and kerb shall be dished and widened dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense.*
4. *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.*
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.*
6. *Any gates shall open inwards and not out over the public domain.*

The report from the Roads Department is noted and should be conditioned as such in the event of a grant of permission. The condition relating to vehicles exiting the site in a forward direction is unenforceable and should not be included.

The proposed house would now be setback from the front building line of the existing dwelling by approx. 0.5m. The revised proposal would reduce the proposed rear amenity space to approx. 65.52sq.m, which still complies with the County Development Plan.

Item 2 Requested

The applicant has stated that the site is owned by two different parties. They state that the southern part of the site (identified as Folio DN160605F on a submitted map) is registered to Meadowtree Construction Limited, from which a letter of consent is provided with the application. The applicant states that the northern part (outlined on the submitted Land Registry Compliant Map) is awaiting registration by The Property Registration Authority to the applicant. Further information is required in regard to the ownership of the site. The applicant is requested to submit additional information clarifying the current ownership status of the site, including timeframes for the described land transaction.

Assessment: The applicant has submitted further information confirming that the northern part of the subject site has now been registered with Brendan and Shelia Quinn (the applicant) as full owners since 18th of December 2020. This information is considered sufficient to address the Planning Authority's query.

Item 3 Requested

There appears to be an existing outbuilding to the side of the existing dwelling. No detail has been provided on this structure and it is not shown on the site layout. If the structure is to be removed the applicant should state as such in their application. If it is to remain it needs to be accurately shown on the proposed drawings, including the site layout drawing, and the planning history for this clarified.

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Assessment: The applicant states that the existing outbuilding is a shed type of structure, which would be removed on completion of the proposed development. This structure does not therefore need to be shown on the proposed drawings.

Item 4 Requested

The proposal would remove the gable end windows from the existing dwelling. The proposed floor plans show rooflights would be installed in the existing and proposed dwellings to provide daylight and seemingly compensate for the loss of the gable end windows. However, the proposed rooflights are not shown on the proposed elevations, section or on a roof plan. If rooflights are proposed the applicant is requested to submit revised elevations, section(s) and a roof plan showing these.

Assessment: The applicant has submitted revised drawings showing that rooflights are proposed on the rear roof slopes of the existing and proposed dwellings. The rooflights would not be visible from the streetscape and are acceptable in this instance.

Item 5 Requested

The proposed dwelling would have a gable end that faces an area of open space. On the gable end it is proposed to include two windows, one at ground level in a bathroom and one at first floor level in the landing. The applicant is requested to include additional window(s) at first floor to habitable room(s) to improve passive surveillance onto the adjoining area of open space. The applicant should submit revised floor plans, elevations and sections demonstrating the location of any additional window(s).

Assessment: At first floor Bedroom 3's and the ensuite windows have been moved to the gable end so that now there are 2 additional windows on this elevation. The window to Bedroom 3 would provide for passive surveillance from a habitable room. These revisions are considered to address the Planning Authority's concerns and improve dual frontage onto the adjoining area of open space.

Item 6 Requested

The applicant is requested to submit additional information addressing the following items requested by Irish Water in regard to water supply:

- 1.1 a letter of confirmation of feasibility from Irish Water regarding proposed development.*
- 1.2 a letter to clarify ownership of proposed and existing site in its entirety.*

Assessment: The applicant has submitted a letter from Irish Water confirming feasibility of the development in terms of water supply. The ownership of the site has been sufficiently clarified by the applicant. Irish Water have reviewed the further information received in regard to water supply and raise no objection subject to a connection agreement condition attached to a grant of permission.

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Item 7 Requested

The applicant is requested to submit additional information addressing the following items requested by Irish Water in regard to foul water:

2.1 a drawing to clearly show foul drain layout of proposed development up to and including the point of connection to the public foul sewer.

2.2 a letter to clarify ownership of proposed and existing site in its entirety.

2.3 a letter of confirmation of feasibility for proposed development from Irish Water.

2.4 a drawing showing the existing foul drain layout of site.

Assessment: The applicant has submitted further information including a revised Proposed Block Plan (Drawing No. 21-1420-03) showing the existing and proposed foul water drainage layout.

The revised drawing shows foul and surface water drainage now going under the proposed dwelling. Previously the drainage was to go around the dwelling.

The ownership of the site has been sufficiently clarified by the applicant. The applicant has also submitted a letter from Irish Water confirming feasibility of the development in terms of wastewater.

Irish Water has reviewed the further information submitted and requests clarification of further information: **Water Services do not recommend that the proposed development be constructed over existing foul drain because of the risk of load transfer issues from the building onto existing foul drain.** *Submit a drawing to clearly show foul drain layout of proposed development up to and including the point of connection to the public foul sewer. There is also an issue of access to foul drain if there is a blockage in the future.*

If the development was to be approved submit a drawing in plan and cross sectional view showing how the existing foul drain/s will be protected from proposed foundations, wall and floors. Note Part H of the Building Regulations 2010 Drainage and Wastewater Disposal.

Water Services has also reviewed the further information submitted and requests clarification of further information:

1.1 It is not recommended to build proposed development over existing surface water drain. The foundation of proposed development is very close to existing drain at approximately 300mm and it is unclear how the existing surface water drain would be protected from loading from walls, foundation or floors.

If the development was to be developed over existing surface water drain then submit a revised drawing in plan and cross-sectional view showing how the existing surface water drain will be protected from the foundation, wall and floor loading from proposed development. Note Part H of Building Regulations 2010.

1.2 It is unclear where and how surface water drainage will be separated from foul drain/s manholes. Submit a drawing in plan and cross-sectional view showing how surface water drain will be separate from foul drain manholes on proposed/existing site development.

1.3 Submit a report and drawing showing what SuDS (Sustainable Drainage Systems) are proposed for the development.

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Examples of SuDS include rain gardens, permeable paving and other such SuDS.

1.5 Include water butts in proposed development as part of SuDS (Sustainable Drainage System).

The reports from Irish Water and Water Services are noted. It is not clear from the further information submitted why the drainage layout has been amended. It was noted from discussions with Water Services that the drainage for the proposed development is connected to the drainage infrastructure for the adjacent dwellings. That is why in this instance it is not recommended that the proposed dwelling is built over foul and surface water drainage infrastructure. **It is therefore considered that this should be addressed via clarification of further information.**

Conclusion

The revised foul and surface water layout submitted show drainage pipes under the proposed dwelling. This is not recommended in this instance due to the potential impact on the drainage infrastructure for the adjacent dwellings should there be an issue going forward and the infrastructure is difficult to access. The applicant should be requested to address this via clarification of further information.

Recommendation

Seek Clarification of Additional Information.

Clarification of Additional Information

Clarification of Additional Information was requested on the 30th of November 2021.

Clarification of Additional Information was received on the 2nd of February 2022 (not deemed significant).

Clarification of Additional Information Consultation

Water Services – no objection subject to conditions.

Irish Water – no objection subject to conditions.

Assessment

Item 1 Requested

Irish Water and SDCC Water Services have concerns in regard to location of the foul and surface water drainage under the proposed dwelling. This is not recommended in this instance due to the potential impact on the drainage infrastructure for the adjacent dwellings should there be an issue in the future and the infrastructure is difficult to access. The applicant is requested to submit clarification of further information addressing this concern. The applicant might liaise with SDCC Water Services on this.

Assessment: The applicant has liaised with SDCC Water Services prior to the submission of their response. The applicant has submitted a report and drawings from Patrick Joyce, Consulting

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Engineers. These show that the existing foul and surface water drains that would run under the footprint of the proposed dwelling would be re-routed to the side of the dwelling. Water Services and Irish Water have reviewed the response submitted and have no objections subject to standard conditions. These reports are noted and should be conditioned as such. It is therefore considered that this item has been satisfactorily addressed.

Development Contributions

New residential dwelling 108.41sq.m

SEA monitoring

Building Use Type Proposed: New residential dwelling

Floor Area: 108.41sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0327 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 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.

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.

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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 the 3rd of November 2021 and Clarification of Further Information received on the 2nd of February 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. Boundary.
Prior to the commencement of development, the applicant/developer shall submit drawings of boundary treatment details for the written agreement of the Planning Authority.
REASON: In the interest of visual amenity and ensuring appropriate boundary treatment to the adjoining open space area.
3. 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.
4. Drainage
 - (a) Include water butts in proposed facility as part of SuDS (Sustainable Drainage Systems).
 - (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 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. Roads
 - (a) 2 on-curtilage parking spaces shall be maintained at both existing and proposed houses.
 - (b) Relocation of public light pole shall be at applicant's expense if necessary.
 - (c) Footpath and kerb shall be dished and widened dropped crossing shall be constructed

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to the satisfaction of South Dublin County Council and at the applicant's expense.

(d) 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.

(e) Any gates shall open inwards and not out over the public domain.

REASON: In the interests of visual amenity, sustainable development and pedestrian and traffic safety.

6. 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.

7. 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 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

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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.

8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €11,327.76 (eleven thousand three hundred and twenty seven euros and seventy six 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.

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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NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

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REG. REF. SD21A/0157

LOCATION: 1, Broadfield Court, Broadfield Manor, Rathcoole, Co. Dublin

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:

4/3/22



Eoin Burke, Senior Planner