

Comhairle Chontae Atha Cliath Theas

PR/0385/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0040 **Application Date:** 02-Feb-2022
Submission Type: New Application **Registration Date:** 02-Feb-2022
Correspondence Name and Address: Keith Duggan, Paul Redmond 50, Riverforest View,
Leixlip, Co. Kildare
Proposed Development: Widening the existing main vehicle entrance by
removing one pillar and replacing with a new pillar.
That will widen the opening from existing width of
2750mm to a new opening width of 3500mm. All
above together with all associated site works.
Location: 17, Newlands Park, Clondalkin, Dublin 22
Applicant Name: Marion Dillon & Keith Thompson
Application Type: Permission
(COS)

Description of Site and Surroundings

Site Area: stated as 0.0457 Hectares on the application.
Site Visit: 8th of March 2022.

Site Description

The subject site is located on Newlands Park within an existing housing estate. The site consists of a semi-detached, two-storey dwelling. The streetscape is characterised by housing of a similar form and character.

Proposal

Permission for widening the existing main vehicle entrance by removing one pillar and replacing with a new pillar. That will widen the opening from existing width of 2750mm to a new opening width of 3500mm. All above together with 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.

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SEA Sensitivity Screening – no overlap indicated.

Submissions/Observations /Representations

None received.

Relevant Planning History

Subject site

SD21B/0295

Single storey domestic extension to the rear incorporating an extended dining, sitting and kitchen area; conversion of the existing garage to a living room; porch to the front and all associated site works. **Permission granted.**

SD20B/0459

Single storey domestic extension to the rear of the existing dwelling incorporating an extended dining, sitting and kitchen area; the conversion of the existing garage to a living room; a new porch to the front of the dwelling; a new foul drain connection from the dwelling to the main public foul drain on the roadway. All of the above together with all associated site works. **Permission granted.**

Relevant Enforcement History

None according to APAS.

Pre-Planning Consultation

None according to APAS.

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

2 Housing

6 Transport and Mobility

Policy TM7 Car Parking

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

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Section 11.4.2 Car Parking Standards
Section 11.4.4 Car Parking Design and Layout
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 11.6.5 Waste Management
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).
Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).
OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

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 acceptable in principle under this zoning.

Visual and Residential Amenity

The proposed development would involve the widening of the existing vehicular entrance from approx. 2.75 m to 3.5 m. The eastern pillar would be removed, and a new pillar constructed further east along the front boundary. The proposed new pillar would be the same scale and

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design as the existing. The proposed development is therefore considered to be acceptable in terms of visual and residential amenity.

Access and Parking

The Roads Department has no objections to this subject to the following conditions:

- 1. It is noted that there is a kerb gully in the vicinity of the proposed access. The vehicular access points shall be limited to a maximum width of 3.5 metres provided it does not extend to the line of the gully.*
- 2. 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.*
- 3. Any gates shall open inwards and not out over the public domain.*
- 4. 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.*

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. The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of the widening of a vehicular entrance.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

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it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Development Contributions

Vehicular entrance widening.

Assessable area = Nil

SEA monitoring

Building Use Type Proposed: Vehicular entrance widening.

Floor Area: N/A

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0457 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.

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 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. Vehicular Entrance
 - (a) The vehicular access points shall be limited to a maximum width of 3.5 metres provided it does not extend to the line of the gully.
 - (b) Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
 - (c) 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.
3. Drainage
 - (a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (b) All works shall comply with the Building Regulations -Technical guidance document-Part H Drainage and Wastewater disposal.
 - (c) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
 - (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.
4. 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

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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.

5. 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 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.

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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. SD22B/0040

LOCATION: 17, Newlands Park, Clondalkin, Dublin 22

Colm Harte

Colm Harte,
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: _____

29/3/22

Eoin Burke

Eoin Burke, Senior Planner