

# Comhairle Chontae Atha Cliath Theas

**PR/0431/22**

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

**Reg. Reference:** SD21A/0249      **Application Date:** 07-Sep-2021  
**Submission Type:** Clarification of      **Registration Date:** 11-Mar-2022  
Additional  
Information

**Correspondence Name and Address:** Richard Quinn 8, Firhouse Road, Tallaght, Dublin 24

**Proposed Development:** Construction of dormer bungalow and associated landscaping, services and parking resulting in no extra vehicular traffic to Killakee Green.

**Location:** 8, Firhouse Road, Tallaght, Dublin 24

**Applicant Name:** Richard Quinn

**Application Type:** Permission

(AOCM)

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

Site Area: Stated as 0.073 hectares.

### Site Description:

The site is located in the rear garden of 8 Firhouse Road. The surrounding area is predominantly residential in nature.

### Site visited

13 October 2021

### **Proposal:**

Permission is sought for the following:

- Construction of a 4 bedroom dormer bungalow (153.6sq.m)
- Associated landscaping
- Parking for 2 vehicles.
- Access from Killakee Green

### **Zoning:**

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

### **Consultations:**

Surface Water Drainage – Further information recommended

Irish Water – No objection subject to standard conditions

Roads Department – Further information recommended

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Parks – No objection subject to conditions

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

Submission expiry date – 11/10/2021

No submissions or objections received.

### **Relevant Planning History**

None recorded for subject site.

Adjacent site to south east

**SD21B/0487:** New vehicular entrance, dishing and alterations to gated entrance. **No decision yet. Decision due no later than 8<sup>th</sup> Nov 2021**

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

Adjacent site to south west

**SD21A/0255:** Construction of two, three storey 3-bedroom detached houses and associated ancillary site works. **No decision yet. Decision due no later than 8<sup>th</sup> Nov 2021**

### **Relevant Enforcement History:**

None recorded.

### **Pre-Planning Consultation:**

1 May 2018, Ref. PP016/18

### **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 Establishment, (1991).

### **Assessment**

The main issues for assessment relate to the following items:

- Zoning and Council policy,
- Residential and Visual Amenity,
- Roads,
- Public Realm,

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- Services and Drainage,
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIA).

### 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 house would be L-shaped and located towards the centre of the site in excess of 2m from all site boundaries. There is a house located 6m to the northeast of the proposed house, and 2 houses located approximately 12m to the south east. There is an existing bungalow, of which the site was formerly part of the rear garden, located to the northwest of the proposed house, separated by a distance of approximately 21m. It is noted that the two applications must therefore be considered concurrently as they are intrinsically linked. It is considered appropriate that the applicant should submit **additional information** comprising drawings detailing the current proposals for access to both sites, and alternative proposals for a joint access in the event SD21B/0487 is refused. In addition, a land transfer has obviously occurred to facilitate the access arrangements to the proposed dwelling. Details of this transfer, and the clear indication of each site's boundary, should be submitted as **additional information**. Furthermore, to ensure the safety of the access(es), a **condition** should be attached to any grant of permission restricting the heights of walls and vegetation at the entrance.

The proposed dwelling would have a pitched roof with dormer windows located on the south and west facing elevations to serve the master bedroom and first floor landing. Eye level horizontal windows are proposed at ground floor level on all elevations of the dwelling.

Roof lights would be located on the north and east facing elevations, serving all rooms on the first floor as well as the ground floor kitchen through the introduction of a double height ceiling at this end of the dwelling. On the south elevation there is one horizontal window proposed to serve Bedroom 3. It is noted that this window is located within approximately 15m of the opposing first floor windows of the dwellings to the south of the site. To protect residential amenity, the applicant should be invited to provide a design solution to reduce the impact of overlooking from this window, either by angled projection or otherwise, through the submission of **additional information**.

A brick finish is proposed for each gable end of the proposed house, with all other elevations to be finished in render. The roof will be in slate. These materials are considered acceptable. A roof plan has not been submitted with the application and should be requested as **further information**.

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Based on the scale and siting of the proposed dwelling it would not appear overbearing in terms of the existing residences in the area.

It is considered that concerns of overlooking need to be resolved by requesting **further information**.

### Residential accommodation

The dwelling would exceed the minimum internal size for a four-bedroom dwelling, providing approximately 153sq.m of floor space. Two large storage rooms are provided, one on the ground floor and one on the first floor, for storing larger household items. The Development Plan recommends designers have regard to the standards contained within The Quality Housing for Sustainable Communities (2007) guidelines. These standards require all double bedrooms be a minimum of 11.4sq.m. It is noted that 2 of the bedrooms are 10.75sq.m however, given the overall quality of the accommodation provided throughout the house, this is not of concern and is considered acceptable. One bedroom will be located on the ground floor adjacent to an accessible bathroom and this is considered to be beneficial in terms of the useability of the house by people of all abilities and at different stages of life.

The residents of the existing house adjacent to the site would be left with sufficient private rear amenity space that exceeds minimum standards and the future residents would also have access to private amenity space that exceeds minimum standards. Overall, the proposal would provide a good standard of accommodation for residents. It is considered appropriate that, in the event of a grant of permission, a **condition** should be attached removing exempted development rights for rear extensions or large garden structures, to protect the private amenity space serving the dwelling.

### **Roads**

The Roads Department has reviewed the application and recommended **additional information** be sought. The additional information would provide detail to allow for the impact of this development and SD21B/0474 on neighbouring lands to be assessed concurrently as the two proposals are closely linked. An extract from the Roads Report states:

*The applicant has not submitted enough details in elevation view drawing showing existing vehicular access gate and vehicular access gate for House no. 24-26 Killakee Green including boundary walls and piers.*

*The applicant is required to submit a revised layout in plan and elevation view on a detail topographical map showing the vehicular access gate for House no. 24-26 Killakee Green and existing vehicular accesses for the proposed development.*

**Roads recommend that the applicant submits on the following additional information:**

**1. The applicant is requested to submit as additional information in plan and elevation**

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*view drawings showing:*

- a. The proposed vehicular access gate width shall not exceed 3.4 meter wide.*
- b. The applicant is required to submit a revised layout in plan and elevation view on a detail topographical map showing the vehicular access gate for House no. 24-26 Killakee Green and existing vehicular access for the proposed development.*
- c. These plans must be shown on a detailed topographical background survey which shows the location of any existing street furniture, street trees and services that are in the vicinity of the site. The extent of any footpath dishing required should also be noted.*
- d. The applicant is requested to submit a swept path analysis to demonstrate that 2 large family car can access, park, and egress the site in a forward direction.*

It is considered that the above **further information** should be requested.

### **Public Realm**

The Public Realm Section has reviewed the application and recommended **additional information**. An extract from the report states:

#### **Protection of Existing Street Tree**

*In order to ensure the protection of the existing street tree in the 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.*

A tree bond of €1,500 has also been recommended in the event of a grant, and this can be attached by **condition**.

This report has been considered in the assessment of this application and it is considered appropriate to follow the recommendations of the Parks Department.

### **Services and Drainage**

Surface Water Drainage has reviewed the application and recommended **further information**. An extract from the Water Services Planning Report states:

- (1) There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway*



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*in accordance with BRE Digest 365 – Soakaway Design.*

- (2) *The applicant is required to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. 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.*
  - (e) Soakaways must include an overflow connection to the surface water drainage network.*

In the event of a grant, standard **conditions** have been recommended.

Irish Water has reviewed the application and has stated no objection subject to standard **conditions** requiring pre-commencement agreements with Irish Water.

These reports have been considered in the assessment of the application.

### **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**

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	House
<b>Floor Area (sq.m)</b>	153.6sq.m
<b>Land Type</b>	Brownfield
<b>Site Area</b>	0.073

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### **Conclusion**

The applicant should be requested to submit further information in relation to the following items:

- There are concerns about the access arrangements for the proposed dwelling and how this might impact on 24 and 26 Killakee Lawn. The applicant should be requested to submit additional information in relation to access arrangements, as well as land transfers that have occurred to date.
- There are concerns about overlooking from the window of Bedroom 3 given a separation distance of only 15 m is achieved between this window and opposing first floor windows at 24 and 26 Killakee Green. This issue needs to be addressed to protect the privacy of existing and future residents.
- No roof plan has been submitted with the application. A roof plan is required to allow a full assessment of the application and should be requested from the applicant.
- The Roads Department has requested the applicant submit additional drawings in plan and elevation to show the existing and proposed access arrangements to the property, and their interaction with the access to 24 and 26 Killakee Green.
- A landscape plan should be submitted to demonstrate how the proposed development will integrate with the local landscape.
- Soil percolation tests and more detailed drawings for the proposed soakaway have been requested by the Surface Water Drainage Department.

### **Recommendation**

Request Further Information.

### **Further Information**

Further Information was requested on 01/11/2021

Further Information was received on 02/02/2022

### **Consultations**

Roads – Clarification of additional information recommended

Parks – No objection, conditions recommended

Water Services – Clarification of additional information recommended

### **Submissions/Observations**

No further submissions/observations received.

### **Assessment of Further Information**

The Further Information requested is as follows:

1. The applicant is requested to address concerns regarding the proposed site access, and access to 24 and 26 Killakee Green as follows:

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- (a) A site layout plan is required showing details of the proposed site access and the access to 24 & 26 Killakee Green as per planning application SD21B/0487.
  - (b) Details of proposed access arrangements to the proposed dwelling and 24 and 26 Killakee Green are required in the event that SD21B/0487 is refused permission or not constructed. The applicant is requested to submit site layout plans and elevations of an alternative shared access for the proposed dwelling with 24 and 26 Killakee Green.
  - (c) The applicant is requested to submit drawings detailing current and past land ownership, showing any land transfer arrangements that have occurred on the lands to facilitate the proposed developments.
2. The applicant is requested to revise the proposal for the main window serving bedroom 3 on the first floor to ensure there is no overlooking of adjacent properties, given there is only 15m between this window and opposing above ground windows to the south.
  3. The applicant is requested to submit a roof plan to allow for a full assessment of the proposal.
  4. The applicant is requested to submit plan and elevation view drawings showing:
    - (a) a revised layout in plan and elevation view on a detail topographical map showing the proposed vehicular access gate for House no. 24-26 Killakee Green and existing vehicular access for the proposed development.
    - (b) Plans must be shown on a detailed topographical background survey which shows the location of any existing street furniture, street trees and services that are in the vicinity of the site. The extent of any footpath dishing required shall also be noted.
    - (c) The applicant is requested to submit a swept path analysis to demonstrate that 2-no. large family car can access, park, and egress the site in a forward direction.
  5. The site shall be landscaped in accordance with a comprehensive scheme of landscaping which includes boundary planting; details of which shall be submitted to the Planning Authority. The 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.
  6. 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.
  7. The applicant is requested to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. 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.

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- (iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- (v) Soakaways must include an overflow connection to the surface water drainage network.

#### Assessment

The applicant has submitted drawings as requested and a letter from the agent *Additional Information* date stamped 2<sup>nd</sup> February 2022.

#### *Item 1*

The applicant has submitted additional site layout drawings with reference to concurrent application SD21B/0487. Additional layouts that have been submitted clearly detail entrance arrangements in the event of a grant or refusal of SD21B/0487. The Roads department have reviewed these drawings and have recommended **clarification of additional information**, discussed further below.

In addition, land ownership maps detailing land transfers that have occurred to date to facilitate proposed works have been submitted, and this is considered acceptable.

#### *Item 2*

Revised elevations have been submitted, omitting the window at first floor level on the south elevation and placing a large rooflight on the west elevation to serve the first-floor bedroom. This is considered acceptable.

#### *Item 3*

A roof plan has been submitted and this is considered acceptable.

#### *Item 4*

The Roads Department has reviewed the additional information submitted and states in their Report that they *'have concerns regarding the proximity of the resulting two accesses at an angle and in close proximity to one another. The current layout and any proposed layout under concurrent planning applications would result in a right angle arrangement for the existing dwellings and proposed vehicular entrances would restrict and increase the risk of a traffic hazard, thereby endangering public safety by reason of a traffic hazard.'*

The Roads Department has therefore recommended **clarification of additional information** be requested as follows:

1. *The applicant shall submit, a revised layout of not less than 1:100 scale, agreed with the applicant under separate planning application (Reg. Ref. SD21B/0487) showing location, boundary treatment and a single shared vehicle entrance for the existing houses no. 24-*

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*26 and for the proposed development in plan and elevation with a maximum width of 4.2m. (Note: A width of 4.2m is only acceptable for a shared entrance). 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.*

2. *The applicant shall submit, a revised site layout agreed with the applicant under separate planning application (Reg. Ref. SD21B/0487) showing the location of a single shared vehicular access for the proposed development and for existing houses no. 24-26 under a separate application (Reg. Ref. SD21B/0487) this shared single vehicular access shall either be in red or buff in colour to denote it as a shared vehicular access onto Killakee Green public road.*

To ensure that safe access and egress is provided to both the proposed unit, and the existing units to the south, it is considered appropriate to request the recommended **clarification of additional information**.

### *Item 5*

The Parks Department has reviewed the additional information submitted. Their report states '*the submitted landscape plan lacks sufficient information in terms of proposed planting details and landscape specifications.*' The Parks department has recommended that the following **conditions** are attached in the event of a grant of permission.

1. *Landscape Plan*

*Prior to the commencement of Development, the applicant, owner or developer shall submit to the Planning Authority:*

*(a) A fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include hard and soft landscape details, in addition the applicant is requested to submit a fully detailed Planting Plan for the development.*

*(b) The planting plan shall clearly set out the following:*

- i. *Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate*
- ii. *Implementation timetables.*
- iii. *Detailed proposals for the future maintenance/management of all landscaped areas*

*REASON: In the interests of visual amenity and to protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.*

2. *Protection of Street Tree in Grass Margin*

*In order to ensure the protection of the existing street tree adjacent to the entrance of this proposed development, suitable tree protection fencing should be installed in order to*

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*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.*

### 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 bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist. This will involve an assessment of whether the tree specified for retention have been preserved in its prior condition and has 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.*

The above **conditions** are considered appropriate in the event of a grant.

### *Item 6 and Item 7*

Water Services has reviewed the additional information submitted and has requested **clarification of additional information** as follows:

*There are no soil percolation test results for the proposed soakaway. 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 recommended **clarification of additional information** should be requested to ensure the proposed soakaway is sufficient for the site.

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### **Conclusion**

The applicant should be requested to submit **clarification of additional information** in relation to the following:

- A shared access agreement with the adjacent land owner to serve the proposed dwelling and the 2 existing dwellings to the south.
- Soil percolation test results for the proposed soakaway

### **Recommendation**

Request Clarification of Further Information.

### **Clarification of Further Information**

Clarification of Further Information was requested on 01/03/2022

Clarification of Further Information was received on 11/03/2022

### **Consultations**

Roads – No objection, **conditions** recommended

Water Services – No objection, **conditions** recommended

Public Realm – No objection, **conditions** recommended

### **Submissions/Observations**

No further submissions/observations received.

### **Assessment**

The Clarification of Further Information requested was as follows:

1. *The applicant is requested to submit, a revised layout of not less than 1:100 scale, agreed with the applicant under separate planning application (Reg. Ref. SD21B/0487) showing location, boundary treatment and a single shared vehicle entrance for the existing houses No. 24-26 and for the proposed development in plan and elevation with a maximum width of 4.2m. (Note: A width of 4.2m is only acceptable for a shared entrance). 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.*
2. *The applicant is requested to submit, a revised site layout agreed with the applicant under separate planning application (Reg. Ref. SD21B/0487) showing the location of a single shared vehicular access for the proposed development and for existing houses No. 24-26 under a separate application (Reg. Ref. SD21B/0487) this shared single vehicular access shall either be in red or buff in colour to denote it as a shared vehicular access onto Killakee Green public road.*
3. *There are no soil percolation test results for the proposed soakaway. 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.*

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The applicant has submitted revised drawings as requested and a cover letter from the agent date stamped 11<sup>th</sup> March 2022.

The Roads Department has reviewed the clarification of additional information (CFI) submitted and has stated no objection. Their report recommends the following **conditions** are included in the event of a grant.

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. *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 above **conditions** are considered appropriate with the exception of item 4 which would not be enforceable.

Water Services has reviewed the CFI and has no objection. Their report states:

- *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 Public Realm Department has reviewed the CFI and has stated no objection. Their report recommends the following **conditions** in the event of a grant of permission:

1. *Landscape Plan*

*Prior to the commencement of Development, the applicant, owner or developer shall submit to the Planning Authority:*

- a) *A fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include hard and soft landscape details, in addition the applicant is requested to submit a fully detailed Planting Plan for the development.*
- b) *The planting plan shall clearly set out the following:*



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- i. Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate*
  - ii. Implementation timetables.*
  - iii. Detailed proposals for the future maintenance/management of all landscaped areas*
- 2. Protection of Street Tree in Grass Margin**

*In order to ensure the protection of the existing street tree adjacent to the entrance 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.*
- 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 bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist. This will involve an assessment of whether the tree specified for retention have been preserved in its prior condition and has suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection.*
- 4. SUDS**

*No development shall take place until details of the implementation; maintenance and management of the sustainable drainage scheme have been submitted to and approved by the Planning Authority.*

*Those details shall include:*

  - i. A drawing to show how surface water shall be attenuated to greenfield run off rates.*
  - ii. Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drain planter boxes or other such SuDS.*
  - iii. SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.*

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These **conditions** are considered appropriate and should be attached in the event of a grant of permission.

### **Other Considerations**

#### **Development Contributions**

New House – 153.6sq.m

Assessable Area – 153.6sq.m

### **SEA Monitoring Information**

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	House
<b>Floor Area (sq.m)</b>	153.6sq.m
<b>Land Type</b>	Brownfield
<b>Site Area</b>	0.073

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design 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.

### **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 as amended by Further Information received on 02/02/2022 and Clarification of Further Information received on 11/03/2022, 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 Schedule 2, Part 1 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. Landscape Plan  
Prior to the commencement of Development, the applicant, owner or developer shall submit to the Planning Authority:
  - (a) A fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include hard and soft landscape details, in addition the applicant is requested to submit a fully detailed Planting Plan for the development.
  - (b) The planting plan shall clearly set out the following:
    - (i) Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate
    - (ii) Implementation timetables.
    - (iii) Detailed proposals for the future maintenance/management of all landscaped areas  
REASON: In the interests of visual amenity and to protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and

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Landscape Setting of the CDP 2016-2022.

4. Protection of Street Tree in Grass Margin

In order to ensure the protection of the existing street tree adjacent to the entrance 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.

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.

5. 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 bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist. This will involve an assessment of whether the tree specified for retention have been preserved in its prior condition and has 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.

6. SUDS

No development shall take place until details of the implementation; maintenance and management of the sustainable drainage scheme have been submitted to and approved by the Planning Authority.

Those details shall include:

(i) A drawing to show how surface water shall be attenuated to greenfield run off rates.  
(ii) Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drain planter boxes or other such SuDS.

(iii) SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following

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implementation.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

### 7. Roads and Access Arrangements

(a) 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.

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

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

### 8. 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.

### 9. Water Services

- 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.

REASON: To ensure the protection of public health and compliance with relevant codes of practice and guidelines

### 10. House Number.

The number of the house shall be 8A, 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 lodge and agree an alternative number 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

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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 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 €16,049.66 (sixteen thousand and forty nine euros and sixty 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

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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 contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

**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:** 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.

**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.

**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/0249**

**LOCATION: 8, Firhouse Road, Tallaght, 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:** 6/4/22

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