

Comhairle Chontae Atha Cliath Theas

PR/0432/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0259 **Application Date:** 21-Sep-2021
Submission Type: Clarification of **Registration Date:** 10-Mar-2022
Additional
Information

Correspondence Name and Address: Peter Nickels The Willows, Sunbury Gardens,
Dartry, Dublin 6

Proposed Development: Demolition of existing dwelling house (99.1sq.m),
outbuildings to rear and boundary walls to front and
side. Construction of a 3 storey dwelling house
(224.7sq.m), single storey garden room (16.2sq.m),
new garden walls, driveway, landscaping and
associated site works.

Location: 1, Beverly Drive, Scholarstown Road, Dublin 16

Applicant Name: Mark and David Renwick

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.315 Hectares on the application.

Site Visit: 20th of October 2021

Site Description

The subject site is located at the corner of Scholarstown Road and Beverly Drive in Schollarstown. This site is slightly sloping from south downwards to north. The site consists of a two storey, detached dwelling with a pitched roof. The streetscape comprises of semi-detached dwellings of a different form.

Proposal

Permission is being sought for the demolition of existing dwelling house (99.1sq.m), outbuildings to rear and boundary walls to front and side. Construction of a 3 storey dwelling house (224.7sq.m), single storey garden room (16.2sq.m), new garden walls, driveway, landscaping and associated site works.

Zoning

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

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Consultations

Water Services – recommend refusal.

Irish Water – no objection subject to conditions.

Roads Department – further information requested.

Public Realm Department – no comments or conditions to add.

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

Submissions/Observations /Representations

None.

Relevant Planning History

None traced to subject site.

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

None recorded for subject site according to APAS.

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

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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

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).
- 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:

- Land Ownership;
- Zoning and Council Policy;
- Residential Amenity;

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- Visual Amenity;
- Services and Drainage;
- Access and Parking;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Land Ownership

In terms of the legal interest of the applicant in the site they state in the application form and in a solicitor's letter that the property owner is deceased, and the applicants are the joint executors of the estate. On this basis the Planning Authority considers that the applicant has sufficient legal interest in the site to make the application.

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.

Residential Amenity

Demolition of existing dwelling

The existing dwelling and rear structures would be demolished to allow for the construction of a new dwelling. The applicant states that the standard of accommodation of the existing house is poor (in terms of room size, layout, daylighting etc.) as is the construction quality. The existing structures are not noted as having any significance in terms of architectural conservation. The demolition of these structures is therefore considered acceptable.

Existing residential amenity

The proposed dwelling would be three storeys with a single storey rear and side extension. There would also be front and rear dormer windows. The dwelling would align with the front building line of the adjacent dwellings. The single storey projection would extend approx. 5.1m from the rear of the dwelling and approx. 2.3m to 3.2m to the side. This projection would extend up to the side boundary along Scholarstown Road. It would be setback approx. 8.0m from the rear boundary. An approx. 16.2sq.m single storey structure is proposed to the rear, which is labelled as a studio/gym.

The site is sloping so the proposed dwelling would appear slightly higher on the front elevation than the rear. The dwelling would be approx. 6.7m in height at the gable and approx. 9.5m in overall height when viewed from the front. At the rear the dwelling would be approx. 6.5m in height at the gable and approx. 9.3m in overall height. The dwelling would be higher than the adjacent dwellings which sit at approx. 7.8m in overall height (No. 3 Beverly Drive).

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The dwelling would be approx. 0.9m from the boundary with No. 3 Beverly Drive and approx. 2.1m from the dwelling at this neighbouring property. It is considered due to the height, scale and design of the proposed dwelling it would have a significant negative impact on the existing residential amenity of the streetscape and area. The dwelling would be located on a prominent, highly visible site. It is visibly higher than the adjacent dwellings and would appear out of scale with these dwellings.

The proposed materials would be fibre cement roof slates, zinc cladding for the dormer extensions, and a combination of render and brick on the external walls. The use of render and brick is keeping with the existing residential development. Concerns are raised in relation to the visual impact. **The applicant should be requested to revise the height and design of the dwelling so that it is sensitive to the local context. The height of the proposed dwelling should be reduced to match the adjacent dwellings. The applicant should also consider removing or redesigning the front dormer extension so that the front elevation is more in keeping with existing residential development.**

Standard of proposed accommodation

The proposed dwelling would be approx. 224.7sq.m in size, which significantly exceeds the 110sq.m minimum floorspace requirement for a four or more bedroom house under the County Development Plan. In addition to this is the approx. 16.2sq.m studio/gym, which would provide for a total area of approx. 240.9sq.m for the proposed development. The application form and proposed drawings state a total area of 230.8sq.m. **The applicant should be requested to clarify the areas and total area via additional information.** The proposed bedrooms would meet the minimum floorspace requirements of the CDP. Sufficient internal storage would be provided. Bin storage would be provided to the rear of the dwelling and a side passage provides external access to this.

In terms of private amenity space, approx. 71.4sq.m of rear amenity space would be provided. This calculation appears to include part of the side passage and bin store and utility areas, which does not seem necessary given the size of the site and ability to accommodate a sufficiently sized dwelling with quality amenity space. The Planning Authority and Water Services have concerns in regard to the design and setback of the proposed development along the eastern boundary. **A revised proposal in response to these concerns could also allow for the quality of the rear amenity space to be improved.**

Visual Amenity

The area is characterised by two-storey semi-detached dwellings with hipped roofs. The proposed development would involve the construction of a two-storey detached house with a pitched roof. 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,

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- the designed and sited to match the building line and respond to roof profile,
- the architectural language should respond to character and create a sense of harmony,
- the building line and height,
- and the inclusion of a dual frontage

The criteria are addressed as follows:

- The site currently consists of a three bedroom dwelling and is considered to be of a sufficient size to accommodate a dwelling. The proposed dwelling would be located approx. 2.1m from the existing dwelling at No. 3 Beverly Drive. While it is noted that this is a similar separation distance between the existing dwelling onsite and No. 3, and between houses along this streetscape, the proposed dwelling is of a higher height than existing.
- The proposed dwelling would align with the front building line of the dwelling at No. 3 and houses along this streetscape (except for the bay window). The dwelling would have a pitched roof with gable ends to the sides as opposed to the predominantly hipped roofs of the adjacent dwellings. This would be especially visible given the proposed height of the dwelling. **The applicant should be requested to address this via additional information.**
- The proposed dwelling is of a different form and character to adjacent dwellings. The front boundaries (north and east) would be demolished and replaced. A contemporary design at this location may be acceptable if it responded to the local context. The Planning Authority has serious concerns in regard to the design of this dwelling and does not consider it sufficiently responds to local context. **The applicant should be requested to address this via additional information.**
- The proposed dwelling would be higher than the adjacent dwellings which sit at approx. 7.8m in overall height (No. 3 Beverly Drive). Given the corner location and proximity to adjacent dwellings, the height of the proposed dwelling would make it appear out of scale with existing development. **The applicant should be requested to reduce the overall height of the dwelling to promote a sense of integration with the adjacent dwellings.**
- The proposed dwelling is located on a corner site. The proposed development would provide for windows at the ground and first floors of the eastern side elevation of the proposed development. The side extension and rear structure for the studio/gym would extend along the eastern boundary and present a lengthy blank brick façade along this boundary. This would extend up to approx. 3.0m to 3.7m in height along this boundary. This is not considered acceptable in terms of visual impact and does not allow for proper dual frontage. **The applicant should be asked to revise the development along the eastern elevation to provide for a dual frontage. This should include setting back the side extension and studio/gym so that a boundary wall is provided. The boundary wall should not exceed 1.2m where it would line up with the proposed dwelling so as**

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to allow for passive surveillance of the public domain. The applicant might consider further windows on the eastern side elevation.

Services and Drainage

Water Services has reviewed the proposed development and recommend refusal:

1.1 The proposed development is too close to existing 225mm surface water main at 2m setback distance. There should be a minimum of 3m setback distance to the existing 225mm surface water sewer East of Site.

As per GDSDS (Greater Dublin Strategic Drainage Study) requirements, Clear distances for public drainage must have minimum widths of 3m from the centreline of the pipe to adjacent building structures.

1.2 There is no SuDS (Sustainable Drainage systems) show on a drawing or in a report for proposed development.

Water services recommend refusal of the development because a minimum of 3m setback distance is required for maintenance purposes of existing 225mm surface water sewer.

The development would also be prejudicial to public health and proper planning.

The report from Water Services is noted. The side extension extends to the eastern boundary and therefore does not allow for a sufficient setback from the existing surface water main.

Considering that the floorspace of the proposed dwelling exceeds the minimum floorspace requirements of the CDP, there is sufficient room to setback the building to accommodate a minimum of a 3 m setback from this water main and still comply with the minimum floorspace requirements. **This should be addressed via additional information.**

Irish Water has reviewed the proposed development and has no objection subject to conditions relating to connection agreements. This report is noted and should be conditioned in the event of a grant of permission.

Access and Parking

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

This application proposed to reorientate an existing vehicular entrance. The proposed dwelling is an end house located adjacent to the junction of Beverly Drive with the Scholarstown Road.

The applicant is proposing to reorientate the vehicular entrance eastward towards the junction with the Scholarstown Road with a approx. 4000m wide vehicular access.

The proposed reorientation of the existing vehicular access is towards the junction which increases the difficulty for drivers turning in and out of the property, especially as the driveway is running over the pedestrian tactile pavement. The proposed new access orientation also reduces the reaction time for drivers who are turning into the estate have to see vehicles coming out of the property. The Scholarstown Road is a busy road, and the applicant has provided no

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justification for the reorientation. Roads are of the opinion that the proposal increases the risk of an accident at the junction.

Roads Department would support this application subject to a relocation of the vehicular access further to the west as far as possible (away from the junction) with vehicular access points of 3500m.

Roads recommend that additional information be requested from the applicant:

- 1. The applicant shall submit a revised layout showing an alternative location for the vehicular access further to the West as far as possible (away from the junction), with vehicular access width of maximum 3500m wide.*
- 2. The applicant shall submit a revised layout showing a workable car parking arrangement. Parked vehicles shall be able to turn on curtilage and exit in forward direction (car must not be allowed to reverse onto the public road).*
- 3. The applicant is requested to submit a revised layout in plan and elevation view showing, boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles exiting from the proposed development.*
- 4. The applicant is requested to submit a revised layout showing a swept path analysis showing how the two cars can safely access and egress from the proposed development.*
- 5. The applicant shall submit accurate plans demonstrating the provision of a visibility splay of 2.0m x 45m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right-hand side of entrance and to the centreline of the road to the left hand side of the entrance (when exiting).*

The report from the Roads Department is noted and should be requested via **additional information**. Item 2 is acknowledged; however, the Planning Authority should revise this to require a layout that demonstrates that there would be sufficient space to park cars onsite (6 m).

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

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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 infrastructure 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 15th of November 2021

Further Information was received on the 24th of January 2022 (not deemed significant).

Further Information Consultations

Water Services – no objection subject to conditions.

Irish Water – no objection subject to conditions.

Roads Department – no objection subject to conditions.

Public Realm – no comments or conditions to add.

Assessment

Item 1 Requested

The side extension and rear structure for the studio/gym would extend along the eastern boundary and present a lengthy 3.0m to 3.7m in height blank brick façade along this boundary. This is not considered acceptable in terms of visual impact and does not allow for proper dual frontage. The applicant is requested to revise the development along the eastern elevation to provide for a dual frontage. This should include setting back the side extension and studio/gym so that a boundary wall is provided. The boundary wall should not exceed 1.2m where it would line up with the proposed dwelling so as to allow for passive surveillance of the public domain. The applicant might consider further windows on the eastern side elevation. A revised proposal in response to these concerns could also allow for the quality of the rear amenity space to be improved.

Assessment:

The proposal has been redesigned to provide a setback from the eastern boundary. The house (single storey element) would be setback approx. 1.0m from the eastern boundary and the detached studio/gym approx. 1.7m from this boundary. A new boundary wall would be provided, which would step up along the boundary and not exceed 0.9m in height until at the rear of the

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dwelling. Windows have been added to the eastern elevation of the single storey element. The bin store and heat pump have been moved to the side of the studio/gym.

These amendments are welcomed by the Planning Authority. The improvements along the eastern boundary would help create a dual frontage at this corner site. It is therefore considered that this item has been satisfactorily addressed.

Item 2 Requested

The Planning Authority has concerns about the proposed dwelling in terms of height, scale and design. The applicant is requested to revise the height and design of the dwelling so that it is sensitive to the local context. The height of the proposed dwelling should be reduced to be closer to the adjacent dwellings. The applicant should also consider removing or redesigning the front dormer extension so that the front elevation is more in keeping with existing residential development.

Assessment:

The height of the ridgeline has been reduced by 0.6m. The front dormer extension has also been omitted. Instead, there would be 3 rooflights on the front roof slope.

The proposed brick has also been changed from a red brick to a buff brick. These changes are welcomed by the Planning Authority. The revision of materials to match the materials on existing dwellings along Beverly Drive are welcomed.

The Planning Authority acknowledges that the reduction in height has gone some way to addressing the concerns raised. However, the proposed dwelling would still be approx. 0.87m above the neighbouring dwelling to the west. The subject site is prominently located on a corner site. Scholarstown Road slopes up from north to south, making the site highly visible when approaching from the north along this road. Any difference in height would therefore be highly visible. So in this instance the revised building height is still not acceptable to the Planning Authority.

For sites such as this one the County Development Plan requires that new development responds to the character of adjacent dwellings and creates a sense of harmony. Where the height is higher, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings. Due to the proposed height it is not considered that the proposal satisfactorily meets this criteria. The applicant should be given the opportunity via **clarification of additional information** to further reduce the height of the dwelling, so it doesn't appear out of scale.

Item 3 Requested

The total area of the proposed development is stated as 230.8sq.m when it appears it should be 240.9sq.m. The applicant is requested to clarify the areas and total area of the proposed

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development. If necessary, an updated application form and drawings correctly showing/stating the areas should be submitted.

Assessment:

The changes made in response to items 1 and 2 have resulted in a reduction of the total area of the proposed development. The revised areas have been set out in the revised drawings and application form. It is therefore considered that this item has been satisfactorily addressed.

Item 4 Requested

SDCC Water Services has raised concerns in regard to the setback of the proposed development from the existing surface water main and lack of information on sustainable drainage systems (SuDS).

The applicant is requested to submit the following information:

- (1) A revised full set of drawings showing the proposed development revised so that it is sufficiently setback from the existing surface water main to the east of the site.*
- (2) Information on the proposed SuDS for the proposed development.*

Assessment:

The proposed development has been revised so that it is setback 1m from the eastern boundary. This provides a sufficient setback distance from the existing surface water main to the east of the site. A report by 4 Square Engineering Services has been submitted, setting out the SuDS proposals for the development. This report recommends the inclusion of a green roof for the flat roof area, permeable paving for parking and pedestrian areas and a water butt.

Water Services has reviewed the further information received and has no objection subject to conditions including that the proposed SuDS are incorporated into the development. This report is noted and should be **conditioned** in the event of a grant of permission.

Irish Water has reviewed the further information received and has no objection subject to conditions relating to connection agreements. This report is noted and should be **conditioned** in the event of a grant of permission.

Item 5 Requested

The Roads Department requests that the applicant be requested to submit the following information:

- (1) A revised layout showing an alternative location for the vehicular access further to the west as far as possible (away from the junction), with vehicular access width of maximum 3500m wide. Any revisions to the layout should ensure a distance of at least 6 m in length from the house to the front boundary is provided to park cars onsite.*

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(2) A revised layout in plan and elevation view showing, boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles exiting from the proposed development.

(3) A revised layout showing a swept path analysis showing how the two cars can safely access and egress from the proposed development.

(4) Accurate plans demonstrating the provision of a visibility splay of 2.0m x 45m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right-hand side of entrance and to the centreline of the road to the left hand side of the entrance (when exiting).

Assessment:

The Roads Department has reviewed the further information submitted and has no objection subject to the following conditions:

1. *Prior to the commencement of development, the applicant shall agree in writing the relocation of the public lighting column with South Dublin County Council Lighting Department. Once agreed, the public lighting column is to be relocated at the applicant/developer's own expense and shall be constructed/installed to taking in charge standards to the satisfaction of South Dublin County Council Public Lighting Department.*

2. *Prior to commencement of development the applicant/developer shall liaise with the relevant utility/service provider regarding the relocation of the utility/service boxes which is located at the proposed site. All costs to be borne by the applicant. The written commitment of the applicant/developer to implement the agreed plan with utility/service provider shall also be lodged to the file.*

3. *Prior to commencement of development the applicant/developer shall agree in writing with the SDCC Public Realm Department in relation with relocation of estate nameplate. Once agreed, the estate nameplate is to be relocated at the applicant/developer's own expense and shall be constructed/installed to taking in charge standards to the satisfaction of South Dublin County Council Public Realm Department*

4. *The vehicular access points shall be limited to a width of 3.5 meters for proposed vehicular access.*

5. *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.*

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

7. *Proposed 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.*

8. *Existing Footpath at existing vehicular access shall be reinstated/constructed to the satisfaction of South Dublin County Council and at the applicant's expense.*

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9. *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.*

This report is noted and should be **conditioned** as such. The condition relating to vehicles exiting the site in a forward direction is considered to be enforceable and therefore should not be included.

Conclusion

All further information items have been satisfactorily addressed, except for item 2 regarding building height. This should be addressed by way of **Clarification of Additional Information**.

Recommendation

Request Clarification of Additional Information.

Clarification of Additional Information

Clarification of Additional Information was requested on the 21st of February 2022
Clarification of Additional Information was received on the 10th of March 2022 (not deemed significant).

Clarification of Additional Information Consultations

None.

Assessment

Item 1 Requested

In relation to Additional Information Item 2 the Planning Authority still has concerns on the proposed height of the dwelling. The proposed dwelling would currently sit approx. 0.87m higher than the existing neighbouring dwelling to the west. Given the location of the dwelling on a corner site, where the adjoining road slopes up, it would be highly visible. So the proposed difference in height would be visually obvious and would appear out of scale. The applicant is requested to submit a revised proposal showing that the dwelling has further been reduced in overall height to better integrate with existing dwellings along Beverly Drive to the west.

Assessment:

The applicant has submitted a revised proposal that further reduces the overall height of the building by 200mm. The applicant states any further reduction in building height would result in the second floor having insufficient floor to ceiling height (to be considered habitable). The proposed dwelling would now be closer in overall height to the existing neighbouring dwellings to the west. The revised height is therefore considered to be acceptable.

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Given the extent of development to the rear of the dwelling (rear projection and 'garden room') a condition should be included requiring permission for any development falling within Classes 1 or 3 of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended).

In summary, it is considered that this item has been satisfactorily addressed and permission can be granted subject to conditions.

Development Contributions

Residential dwelling 198.88sq.m

SEA monitoring

Building Use Type Proposed: Residential

Floor Area: 198.88sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0315 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 24th of January 2022 and Clarification of Further Information received on the 10th of March 2022, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Permission Required for Class 1 & 3 Exemptions.
Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Part 1 of Schedule 2 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.
REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.
3. Roads
 - (a) Prior to the commencement of development, the applicant/developer shall agree in writing the relocation of the public lighting column with South Dublin County Council Lighting Department. Once agreed, the public lighting column is to be relocated at the applicant/developer's own expense and shall be constructed/installed to taking in charge standards to the satisfaction of South Dublin County Council Public Lighting Department.
 - (b) Prior to commencement of development the applicant/developer shall liaise with the relevant utility/service provider regarding the relocation of the utility/service boxes which is located at the proposed site. All costs to be borne by the applicant. The written commitment of the applicant/developer to implement the agreed plan with utility/service provider shall also be lodged to the file.
 - (c) Prior to commencement of development the applicant/developer shall agree in writing with the SDCC Public Realm Department in relation with relocation of estate nameplate. Once agreed, the estate nameplate is to be relocated at the applicant/developer's own expense and shall be constructed/installed to taking in charge standards to the satisfaction of South Dublin County Council Public Realm Department
 - (d) The vehicular access points shall be limited to a width of 3.5 meters for proposed vehicular access.
 - (e) The boundary walls at vehicle access points shall be limited to a maximum height of

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0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

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

(g) Proposed 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.

(h) Existing footpath at existing vehicular access shall be reinstated/constructed to the satisfaction of South Dublin County Council and at the applicant's expense.

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

4. 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.

5. Drainage

(a) Development shall have a minimum setback distance from gable end of proposed development to adjacent 225mm surface water sewer east of site.

(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.

(d) The development shall include SuDS (Sustainable Drainage systems) such as Green roofs, permeable paving, water butt/s.

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.

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.

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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 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 €20,780.97 (twenty thousand seven hundred and eighty euros and ninety seven 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 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

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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: 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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REG. REF. SD21A/0259

LOCATION: 1, Beverly Drive, Scholarstown Road, Dublin 16

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