

Comhairle Chontae Atha Cliath Theas

PR/0661/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0036 **Application Date:** 09-Feb-2022
Submission Type: Additional **Registration Date:** 03-May-2022
Information

Correspondence Name and Address: Mary-Anne Parsons, MPBA Architects 5, Stable Lane, Bray, Co. Wicklow

Proposed Development: (a) Demolition of screen wall; (b) construction of a part two-storey, part single storey new dwelling to the side of the existing adjoining dwelling; (c) associated site works, boundary, new pedestrian access and services; (d) new dish pavement for new vehicular access; (e) elevational alterations to existing dwelling.

Location: 1, Knocklyon Close, Knocklyon, Dublin 16 D16KR79

Applicant Name: John & Deirdre Wilson

Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: 0.045 hectares.

Site Description:

The site contains an existing semi-detached dwelling, with a pitch roof situated on a corner site. The side garden area is considerable in size. The majority of dwellings in the vicinity are of a similar style with a mainly uniform building line.

Proposal:

The proposed development comprises of the following:

- Demolition of screen wall.
- **Construction of a** part two-storey, part single storey new **dwelling** to the side of the existing adjoining dwelling with 2 bedrooms.
- Boundary treatment and new pedestrian access.
- New vehicular access.
- Elevational alterations to existing dwelling.
- Proposed works measure c.95.6sq.m.

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Zoning:

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

SEA Environmental Sensitivity Screening

No overlap layer indicated in the SEA monitoring system.

Consultations:

Roads Section – **Refusal** recommended.

Surface Water Drainage - No objection subject to **conditions**.

Irish Water – No objections subject to **conditions**.

Parks Department – Grant with **conditions**.

Submissions/Observations /Representations:

None recorded.

Relevant Planning History:

SD16A/0307/EP: Demolition of existing conservatory and utility room, alterations and extension to rear of existing dwelling, subdivision of existing dwelling to facilitate the construction of a new adjoining dwelling to side of existing dwelling along with all associated site works and services including new pavement dish.

Decision: **GRANT EXTENSION OF DURATION OF PERMISSION.**

SD16A/0307: Demolition of existing conservatory and utility room, alterations and extension to rear of existing dwelling, subdivision of existing dwelling to facilitate the construction of a new adjoining dwelling to side of existing dwelling along with all associated site works and services including new pavement dish.

Decision: **GRANT PERMISSION.**

SD08A/0468: Alterations to existing house & new extension to front side & rear consisting of a ground, first floor extension & new basement to accommodate a new 4 bedroom house attached to side of existing house with associated site works including new pavement dish.

Decision: **GRANT PERMISSION.**

SD06B/0172: Two storey extension to side of existing house incorporating dormer windows to front and rear with new pitched roof to porch at front and associated site works.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History:

None recorded.

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Pre-Planning Consultation:

None recorded.

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 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.

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

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 (ii) Corner/Side Garden Sites

Development on corner and/or side garden sites should meet the criteria for infill development in addition to the following criteria:

- The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings,
- The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings,

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- The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings,
- Where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings and
- Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain.

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 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, 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).

Assessment

The main issues for consideration are as follows:

- Zoning & Council policy.
- Residential & Visual Amenity.
- Parks & Landscaping.
- Access & Parking.
- Services & Drainage.
- Screening for Appropriate Assessment (AA).
- Screening for Environmental Impact Assessment (EIAR).

Zoning & Council Policy

The site is zoned Objective 'RES' which seeks 'To protect and/or improve Residential Amenity' in the Development Plan 2016 – 2022. The use class 'Residential' is 'permitted in principle' under this zoning objective as detailed in the Land Use Zoning Objectives Matrix of the Development Plan, subject to compliance with the relevant policies, standards and requirements of the Development Plan.

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Residential & Visual Amenity

Demolition of screen wall.

The demolition of the screen wall to the front of the existing dwelling is considered to be broadly acceptable in this instance.

Internal floor area

The planning drawings submitted show that the internal floor area for the **proposed end of terrace two storey dwelling** with hipped roof and with apex pitched element to front and rear measures c.95.6sq.m. as stated. This would comply with the provisions of the South Dublin County Council Development Plan 2016-2022 which requires a minimum floor area of 80sq.m for a house with two bedrooms (Table 11.20: Minimum Space Standards for Houses).

Private open space

The planning drawings submitted show that the quantity of private open space for the existing dwelling will be of a reasonable level post development (c.120sq.m.).

The private open space for the **proposed house** with an internal floor area of 95.6sq.m is stated as 56.5sq.m. and is slightly above the 55sq.m. minimum standard for a two bedroom house. This would comply with the provisions of the South Dublin County Council Development Plan 2016-2022 Section, 11.3.1 Residential (iv) Dwelling Standards, (Table 11.20: Minimum Space Standards for Houses).

Rooms sizes

Bedroom 1(front) measures c.13.11sq.m. and bedroom 2 (rear) measures c.14.16sq.m. Proposed bedroom size comply with Section 11.3.1 Residential (iv) Dwelling Standards regarding minimum internal floor areas for proposed bedrooms.

Although the proposed unobstructed living room of c.3.45m is slightly below the required 3.6m for a two bedroom house, in this instance it is considered the unobstructed living room width requirements would broadly comply with Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007.

Overlooking & Separation Distance

The proposed end of terrace dwelling will be attached to the existing semi-detached dwelling. The dwelling will be offset by c.0.5m from the western site boundary where a privacy strip will be provided. The dwelling will not be overlooked to the rear and therefore there will be no undue overlooking.

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Dual Frontage & Setback

No windows are proposed on the western elevation at ground floor level however an ensuite and landing window will be inserted at first floor level on the western elevation. It is not considered that these windows will provide for appropriate passive surveillance of the public realm. As adequate dual frontage will not be achieved. It is considered this way be achieved by way of **additional information**.

Storage

Drawings submitted show no dedicated storage will be provided for the proposed dwelling. This would not comply with the minimum storage area requirements as per the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007. A minimum of 4sq.m of dedicated storage space should be provided for a 2 bed, 4 person, 2 storey house. Therefore, the level of storage to be provided **would not comply** with the above policy. It is considered this may be addressed by way of a request for **additional information**.

Building lines & Overbearing impact

The proposed dwelling will project outwards by c.1m. from the main front building line of the existing dwelling. At ground floor level the front of the proposed dwelling will have a cantilevered roof canopy over the front entrance door.

The proposed dwelling will project outwards at first floor level by c.1m. from the main rear building line of the existing dwelling. At ground floor level the rear of the proposed dwelling will project outwards by c.3.6m from the main rear building line of the existing dwelling.

The single storey element to the rear will have a flat parapet roof with a parapet height of c.3.5m. It is noted that the existing dwelling has a utility room built to the party boundary at the rear. It is not considered that the proposed dwelling will have an overbearing impact on neighbouring dwellings in the vicinity and will not have a significant adverse impact on residential and visual amenity.

Boundary Treatment

A 1.8m high boundary wall will be constructed as a dividing wall to the rear between the proposed and existing dwelling. The side wall (western elevation) providing boundary treatment between the proposed dwelling and the public realm will be c.1.8m high. There is a proposed 0.7m high boundary proposed to the front that will divide the site between the proposed and existing dwelling.

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Roof Profile

The planning drawings submitted show that the proposed end of terrace dwelling will primarily have a hipped roof and with apex pitched element to front and rear. The proposed ridge and eaves height would match that of the existing dwelling.

Elevational alterations to existing dwelling.

The front canopy of the existing dwelling will be removed and replaced with a new roof canopy that will also provide cover for the proposed dwelling. The canopy will project outwards from the main front building line of the existing dwelling by c.1.85m and will have a height of c.2.2m. However, the single storey front element will only project outwards from the main front building line by c.1.m and will be covered by the roof canopy which will project out further by c.0.85m

This would integrate reasonably well with the character of the existing and proposed dwelling.

Parks & Landscaping

A report was received from the Parks Department recommending a grant with **conditions**. An extract taken from the Parks report states the following:

COMMENTS:

In relation to the above proposed development, this section has reviewed the application and has the following comments.

Reduction of grass margin to facilitate a driving entrance

The Public Realm Section would not be in favour in allowing a resident to remove or reduce a grass margin which are in the public domain to accommodate the provision of a driving entrance. We believe this sets an unwanted precedent as grass margins should be retained where possible in the urban setting. Grass margins in urban areas provide a full range of ecosystem services such as regulating the water cycle by promoting infiltration, thus facilitating regeneration of ground-water stocks and evapotranspiration. In addition, they mitigate the heat-island effect through transpiration and evaporation and provide cooler. Another important ecosystem service is habitat provision for some urban fauna species. Grass margins are very important as they allow space and a growing medium for trees to be planted.

Protection of Existing Street Trees

The Public Realm Section would have some concerns regarding the proximity of the two new proposed driveway entrances to existing street trees located in the adjacent grass margin (<2m). The proposed entrance driveway should be relocated as far as possible from the existing street trees in order to avoid any potential damage to the tree roots. In order to ensure the protection of the existing street trees in the adjacent grass margin, suitable tree protection fencing must be erected prior to all construction operations occurring on site. If the entrance driveway entrance cannot be moved outside of the root protection area (RPA) - the root protection area is usually a

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calculated area of ground that lies immediately under a tree and just beyond the extent of its crown. It is intended to help avoid damage to the tree's rooting system, then a method of "No Dig" construction should be used within the Root Protection Area (RPA) in order to ensure that roots will not be severed during the construction work and the soil in the area of the exclusion zone will not be compacted, enabling oxygen to continue to diffuse into the soil beneath. Prior to commencing any construction on site, protective fencing should be erected around the street tree to form an exclusion zone. This tree protection fencing must be in accordance with BS 5837: 2012.

No dig driveway

In order not to damage the roots of the existing mature street, the Public Realm Section requires that a no-dig solution should be used in the construction of the new entrance driveways within close proximity of existing street trees. A "no dig" method of driveway construction shall be used in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations. 'No dig' construction is accomplished through the use of a perforated cellular confinement system in the sub-base layer. Cellular confinement systems reduce the overall depth of construction by introducing a cellular structure which dissipates downward loads by a horizontal transfer through the cell structure. This process in conjunction with the perforated cell wall also imports structural integrity to free draining aggregates which would otherwise be unacceptable in road construction. A robust, shallow and free-draining sub-base is achieved, which allows vehicular access whilst allowing water and oxygen to permeate down to the tree roots.

Landscape Plan

Ideally a landscape scheme shall be provided as part of the development proposals 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.

The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:

1.Landscape Plan

Prior to the commencement of Development, a landscape plan and associated planting plan shall be submitted to the Planning Authority. The Landscape Plan shall include details of hard and soft landscaping. The Landscape Plan shall be implemented in full, within the first planting season following completion of the development. Details shall include:

a)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.

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*iii. Detailed proposals for the future maintenance/management of all landscaped areas
b) types and dimensions of all boundary treatments*

CONDITION

REASON: 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. Tree Bond

*A tree bond of €3,000 (three thousand euros) shall be lodged with the Planning Authority to ensure the protection of the existing street trees located 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 and provided that the trees proposed for retention are alive, in good condition with a useful life expectancy. **CONDITION***

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.

3. 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. **CONDITION***

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.

4. Proposed Side Entrance

*The proposed pedestrian entrance which opens out onto the adjoining public footpath should be omitted as this would set an unwarranted precedent from a Public Realm point of view. Response should include revised layout with omits this proposed side entrance. **CONDITION***

REASON: In order to ensure the development complies with SDCC bye-laws for Parks and Open spaces 2011.

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SUDS

The applicant shall submit the following information for the written agreement of the Planning Authority, following consultation with the Public Realm Section. The information to be submitted includes:

- (1) A drawing to show how surface water shall be attenuated to greenfield run off rates.*
- (2) 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.*
- (3) 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.*

REASON: To prevent the increased risk of flooding and to improve and protect water quality, 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

In the event that the proposed entrance driveways cannot be re-located further away from the existing street tree (ideally outside of the RPA) then the following condition should be applied to any proposed grant of permission:

1. No dig driveway

*No work shall commence on site until such time as a method statement for the "No dig" method of driveway construction for the new proposed vehicular entrance has been submitted to the Planning Authority. The existing street immediately adjoining the existing driveway shall be protected from damage as a result of the works on site, to the satisfaction of the Public Realm Section in accordance with its relevant British Standards (e.g. BS5837:2012) for the duration of the development. In the event that the tree become damaged during construction, the Public Realm Section shall be notified, and remedial action agreed and implemented. In the event that the tree dies or is removed without the prior consent of the Public Realm Section, it shall be replaced within the first available planting season, in accordance with details agreed with the Public Realm Section. **CONDITION***

Notwithstanding the report from the Parks Department, it is considered that in the event of a grant **conditions** should be attached with regard to tree protection measures and application of a tree bond. The omission of the pedestrian access gate that opens out onto the adjoining public footpath may be addressed by way of **additional information**.

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Access & Parking

A report was received from the Roads Section recommending **refusal** due to the creation of a traffic hazard. An extract taken from the Roads report states the following:

Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

Description

There is insufficient space provided at the dwelling for vehicle parking on curtilage in a safe manner. When exiting the property, the angle of approach to the exit will make reversing movements very difficult. The proposal would result in a significant traffic hazard for pedestrians and road users. Thus, the proposed development would endanger public safety by reason of traffic hazard and be contrary to the proper planning and sustainable development of the area.

Please note that the minimum distance between the boundary and front elevation must be a minimum of 6 meters if vehicle parking on curtilage.

The vehicular access points shall be limited to a width of 3.5 meters.

Roads recommend refusal.

Following further consultation with the Roads Section it was recommended that a request for **additional information** be made for the applicant to submit a revised drawing at a scale of 1:00 clearly showing a shared vehicular entrance **using the existing vehicular entrance** whereby 1 no. car parking space would be provided for the proposed dwelling and 1 no. car parking space be provided for the existing dwelling. A swept path analysis should also be submitted to show that a car can enter and egress with another car parked in place. To provide for an appropriate sweep the grassed area indicated for the proposed dwelling should be redesigned to show a radial edge and create an appropriate sweep for entry into the driveway and for a person to exit out of a vehicle at this location.

From site inspection the width of the existing vehicular entrance measures c.2.8m, however the drawings submitted show that the vehicular entrance measures c.3.6m. A shared vehicular entrance width of 2.8m would be considered too narrow to appropriately serve the proposed and the existing dwelling. Therefore, the applicant should be requested to submit a revised drawing showing the vehicular entrance widened to a maximum width of 3.6m. There is a street tree located immediately to the east and a lamp standard and mini-pillar located immediately to the west of the existing vehicular entrance. In widening the vehicular entrance to 3.6m max. the lamp standard and mini pillar may need to be relocated at the applicant's expense and in doing so the applicant shall ensure there is no negative impact on the street tree. If required, the lamp

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standard and mini-pillar should be relocated to an agreed suitable location and consent required for this should be submitted by the applicant from the owner of the utilities.

This design would help resolve issues of the location of the proposed vehicular entrance on the corner junction. Although the proposed and the existing dwelling will not have the required 6m length driveway as set out in the SDCC House Extension Design Guide, Roads Section consider the revised shared vehicular entrance design would be acceptable in this instance.

Services & Drainage

Reports were received from both Irish Water and Surface Water Drainage recommending no objections subject to **conditions**. An extract taken from the Irish Water report states the following:

IW Recommendation:

No Objection

1 Water

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

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

2 Foul

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

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

It is considered appropriate to attach the above **conditions** in the event of a grant.

An extract taken from the Surface Water Drainage report states the following:

Surface Water Report: No Objection:

1.1. Include permeable paving at front of house as part of SuDS (Sustainable Drainage System).

1.2. Consider using additional SuDS such as a green roof on flat roof part of proposed development.

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Flood Risk: No Objection

The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

It is considered appropriate to attach the above **conditions** in the event of a grant.

Screening for Appropriate Assessment (AA)

Having regard to the distance of the proposed development from any Natura 2000 sites, the nature and scale of the proposed development in the context of the surrounding developments, it is not considered that the proposed development is likely to have a negative effect on a Natura 2000 site and therefore a Stage 2 Appropriate Assessment is not required.

Environmental Impact Assessment (EIAR)

Having regard to the nature and scale of the proposed development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the proposal is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Other Considerations

Development Contributions

- New residential dwelling to side of existing dwelling.
- Proposed works measure c.95.6sq.m.

SEA Monitoring Information

SEA Monitoring Information Required for APAS	
Building Use Type Proposed	Floor Area (sq.m.)
Residential dwelling unit	95.6
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.045

Conclusion

Request Additional Information.

Recommendation

Request Further Information.

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Further Information

- Further Information was requested on 05/04/2022.
- Further Information was received on 03/05/2022.

No submissions/observations on the further information have been made.

The following Further Information was requested.

Item 1: Roads Requirements.

The applicant is advised that significant concerns are raised in relation to the entrance and car parking arrangement proposed. In this context, the applicant is requested to submit a revised drawing at a scale of 1:00 clearly showing for a shared vehicular entrance using the existing vehicular entrance whereby 1 car parking space would be provided for the proposed dwelling and 1 car parking space be provided for the existing dwelling. A swept path analysis should be submitted to show that a car can enter and egress safely and appropriately with another car parked in place. To provide for an appropriate sweep the grassed area indicated for the proposed dwelling should be redesigned to show a radial edge and create an appropriate sweep for entry into the driveway and for a person to exit out of a vehicle with ease at this location. From site inspection the width of the existing vehicular entrance measures c.2.8m, however the drawings submitted show that the vehicular entrance measures c.3.6m. A shared vehicular entrance width of 2.8m would be considered too narrow to appropriately serve the proposed and the existing dwelling. Therefore, the applicant is requested to submit a revised drawing showing the vehicular entrance widened to a maximum width of 3.6m. There is a street tree located immediately to the east and a lamp standard and mini-pillar located immediately to the west of the existing vehicular entrance. In widening the vehicular entrance to 3.6m max. the lamp standard and mini pillar may need to be relocated at the applicants expense and in doing so the applicant shall ensure there is no negative impact on the existing street trees. If required, the lamp standard and mini-pillar should be relocated to an agreed suitable location and consent required for this should be submitted by the applicant from the owner of the utilities.

Item 2: Pedestrian entrance to side.

The applicant is requested to submit a revised drawing clearly showing the proposed pedestrian entrance which opens out onto the adjoining public footpath will be omitted as this would set an unwarranted precedent from a Public Realm point of view.

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Item 3: Storage

Drawings submitted show no dedicated storage will be provided for the proposed dwelling. This would not comply with the minimum storage area requirements as per the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007. A minimum of 4sq.m of dedicated storage space should be provided for a 2 bed, 4 person, 2 storey house. Therefore, the applicant is requested to submit a revised drawing clearly showing that the required level of dedicated storage will be provided.

Item 4: Dual Frontage

The applicant is advised that adequate dual frontage is not achieved in the current proposal and the proposal is therefore not in accordance with Section 11.3.2 of the Development Plan. The applicant is requested to submit a revised dual aspect design clearly showing appropriate passive surveillance of the public realm on the western elevation. The side boundary treatment is requested to be amended to provide a low wall for the extent of the side elevation.

Item 5: suds

The applicant is requested to submit the following information:

- (1) A drawing to show how surface water shall be attenuated to greenfield run off rates.
- (2) 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.
- (3) 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.

Further Consultations

Surface Water Drainage – No objection subject to **conditions**.

Irish Water – No objection subject to **conditions**.

Roads Section – No objection subject to **conditions**.

Further Submissions/Observations

None received.

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Assessment

Item 1: Roads Requirements

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

Response:

It is unclear from the attached the scale at which the planning authority require the shared access to be shown. We have provided drawings of the area at a 1:50 scale. The current access can be widened without adjusting the carriageway crossing or moving the lamp-post and mini-pillar or the tree. By removing the existing pillars on either side of the entrance, the permitted driveway width of 3.6m is

achieved. As can be seen from the photos below, the removal of these will not impact the existing carriageway crossing requirements.



Drawing No. PL.159.0002.02, Existing Site Plan, shows the correct position of the entrance piers, light standard, mini pillar and tree.

Drawings No. PL.159.0003.02, Proposed site plan, PL.159.0101.02, Proposed ground Floor Plan and PL.159.0107.01, Parking sweep path, indicate how parking on the site is achieved.

SDCC Roads Section have reviewed the Additional Information submitted and have issued a report recommending no objection subject to **conditions**. An extract taken from the Roads report states the following:

No Roads objections subject to the following conditions:

- 1. The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.*

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1. *The boundary walls and gates 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. *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.*

It is considered appropriate to attach the above **conditions** in the event of a grant of permission apart from condition no.3 as it is not considered to be enforceable. The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

Item 2: Pedestrian entrance to side.

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

Response:

The proposed pedestrian entrance has been omitted and this is clearly shown on the Proposed Site Plan (Drawing No. PL.159.0003.02) and Proposed Elevation (Drawing No. PL.159.0105.02)

SDCC Roads Section have reviewed the Additional Information submitted and have issued a report stating that they are satisfied with the submission. An extract taken from the Roads report states the following:

Roads Department Assessment:

Drawing PL159.0105.02 shows the west elevation of the development without the pedestrian access. Roads are satisfied with the submission.

The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

Item 3: Storage

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

Response:

The floor plans have been adjusted to indicate 4m² of storage at ground floor. In addition the attic space can accommodate additional storage space for seldom-used items

The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

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Item 4: Dual Frontage

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

Response:

The side boundary treatment has been amended to provide a low wall for the portion of the side elevation. The full length has not been lowered so as to provide a transition between the low wall and the private garden space.

The ground floor portion of the wall will be faced with brick to match the front elevation. The window to the main stair core will provide passive surveillance of the public realm. We also note that the houses opposite overlook this space.

The Planning Authority considers the applicant has not fully responded to the request for additional information for this item. A condition to include an additional first floor window is recommended.

Item 5: SUDs

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

Response:

Deane Turner consulting engineers has prepared a response, which is attached.

Forth the purposes of the further information the drawings below have been included with the submission:

Drawing No.	Revision	Drawing Title	Scale	Drawing size
PL.159.0002	02	Existing Site Plan	1:200	A3
PL.159.0003	02	Proposed Site Plan	1:200	A3
PL.159.0101	02	Existing Plans	1:100	A3
PL.159.0103	02	Proposed Ground Floor Plan	1:100	A3
PL.159.0104	02	Proposed First Floor Plan	1:100	A3
PL.159.0105	02	Proposed elevations and section	1:100	A3
PL.159.0106	02	Proposed Section	1:100	A3
PL.159.0106	02	Parking sweep path	1:50	A3

DTA drawings – Site Drainage Layout scale 1:100 (A3)

DTA Cover letter dated 13th April 2022

Surface Water Drainage and Irish Water have reviewed the Additional Information submitted and have issued reports recommending no objections subject to **conditions**. An extract taken from the Surface Water Drainage report states the following:

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Surface Water Report: No Objection:

1.1 Prior to commencement of development submit a report showing percolation test results at location of proposed soakaway as per BRE Digest 365 Standards.

1.2 Consider using additional SuDS such as a green roof on flat roof part of proposed development.

Flood Risk No Objection

The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

It is considered appropriate to attach the above **conditions** in the event of a grant.

An extract taken from the Irish Water report states the following:

1 Water

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

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

2 Foul

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

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

It is considered appropriate to attach the above **conditions** in the event of a grant.

The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

Other Considerations

Development Contributions

- New residential dwelling to side of existing dwelling.
- Proposed works measure c.95.6sq.m.
- Assessable area is c.95.6sq.m.

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SEA Monitoring Information

SEA Monitoring Information Required for APAS	
Building Use Type Proposed	Floor Area (sq.m.)
Residential dwelling unit	95.6
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.045

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development 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 03/05/2022, 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.

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2. (a) External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

REASON: In the interest of visual amenity.

(b) Drainage - Irish Water.

(i). Prior to commencement of development the applicant shall submit a report showing percolation test results at location of proposed soakaway as per BRE Digest 365 Standards.

(ii). The applicant shall consider using additional SuDS such as a green roof on flat roof part of proposed development.

(iii). The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

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

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

(vii). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(viii). 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.

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

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

(d) 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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(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, 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 only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place 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.

3. Vehicular entrance.

(a). The entrance apron shall be dishd and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.

(b). The boundary walls and gates 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.

REASON: In the interest of traffic and pedestrian safety.

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4. Tree Bond

A tree bond of €3,000 (three thousand euros) shall be lodged with the Planning Authority to ensure the protection of the existing street trees located 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 and provided that the trees proposed for retention are alive and in good condition with a useful life expectancy.

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.

5. 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 shall 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

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €9,989.24 (nine thousand nine hundred and eighty nine euros and twenty four 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 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.

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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.

7. Restriction on Use.

The house shall be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

REASON: To prevent unauthorised development.

8. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

9. House Number.

The number of the house shall be 1A, 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 no development shall be occupied under this permission until the applicant, owner or developer has lodged and agreed 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.

10. Amendments

The following amendment to the design shall be carried out and revised plans submitted to the Planning Authority:

A side elevation window to the rear bedroom shall be included. The window shall be of similar size and design to the front elevation first floor window .

REASON: In the interest of residential amenity.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

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NOTE: The applicant 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.

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. SD22A/0036

LOCATION: 1, Knocklyon Close, Knocklyon, Dublin 16 D16KR79

jjohnston

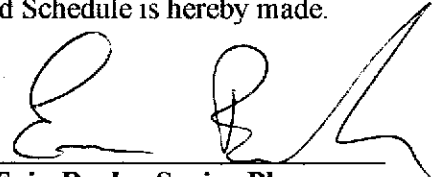
Jim Johnston

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:

30/5/22



Eoin Burke, Senior Planner