

Comhairle Chontae Atha Cliath Theas

PR/0665/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0246 **Application Date:** 03-Sep-2021
Submission Type: Additional Information **Registration Date:** 06-May-2022

Correspondence Name and Address: Terry O'Flanagan Ltd. F1, Centrepoint Business Park, Oak Road, Dublin 12

Proposed Development: Construction of 8 houses comprising of 1 three bedroom two storey detached, Type B1 (c. 122sq.m) Site 1, 1 four bedroom 2 storey detached type B2 (c.134sq.m) Site 2, 6 four bedroom 2 storey semi-detached Type A1 (c.148sq.m) Sites 3-8 inclusive, all associated on and off site development works ,landscaping ,boundary treatments, removal of existing street boundary screen wall and the provision of vehicular and pedestrian access to Grangebrook Avenue on infill site of circa 0.226 ha.

Location: Palmyra, Whitechurch Road, Rathfarnham, Dublin 16

Applicant Name: Beckett Developments Ltd.

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.226 Hectares on the application.

Site Visit: 22nd of September 2021

Site Description

The subject site is located on Grangebrook Avenue in Rathfarnham. The site comprises of land associated with the two storey detached dwelling referred to as 'Palmyra', which is located to the east of the subject site. The site comprises of part of the garden of this house and some single storey garden structures. The site is largely vegetated with mature trees and vegetation along the western boundary. Along this western boundary with Grangebrook Avenue is a block wall. The Protected Structure RPS No. 334 comprised of ecclesiastical remains, a church (ruin), a graveyard and other elements is located to the north of the site.

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Proposal

Permission is being sought for the construction of **8 houses** comprising of 1 three bedroom two storey detached, Type B1 (c. 122sq.m) Site 1, 1 four bedroom 2 storey detached type B2 (c.134sq.m) Site 2, 6 four bedroom 2 storey semi-detached Type A1 (c.148sq.m) Sites 3-8 inclusive, all associated on and off site development works, landscaping, boundary treatments, removal of existing street boundary screen wall and the provision of vehicular and pedestrian access to Grangebrook Avenue on infill site of circa 0.226 ha.

Zoning

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

Consultations

Water Services – further information requested.
Irish Water – no objections subject to conditions.
Roads Department – further information requested.
Public Realm Section – further information requested.
Architectural Conservation Officer – further information requested.
Waste Management – no report received.
Water Pollution – no report received.
Housing Strategy Unit – report received.
H.S.E. Environmental Health Officer – no report received.
Inland Fisheries Ireland – no report received.

SEA Sensitivity Screening – The site is located to the south of Protected Structure RPS No. 334 Whitechurch, Rathfarnham Ecclesiastical Remains, Church (Ruin), Graveyard, Font, Graveslab(s), Cross Fragment, Bullaun (RM).

Submissions/Observations /Representations

A number of third party submissions were received, the majority of which were from those at residential properties within the Grangebrook Estate. The submitters raised the following points in summary:

Open Space and Trees

- Additional dwellings to the Grangebrook estate without any proposed public open space would distort the existing open space provision.
- Proposal would involve the removal of a significant number of trees, which would impact visual and residential amenity, habitat and wildlife, the river and the graveyard. Trees

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along Grangebrook Avenue are not the property of the applicant and was not consulted with residents.

- Inaccuracies in the arboricultural documentation. Documentation misrepresents trees and is not clear on what trees are proposed to be retained/removed.
- Potential damage to trees during construction.
- Design should be re-thought to allow for the retention of more trees and provide natural screening. Would go some way to preserving the character and appearance of Grangebrook Avenue.

Design and Impact

- Out of scale with the existing estate.
- The part of the road on which the dwellings would be located separates the upper and lower portions of the estate with a tree lined road that currently enhances the character of the estate.
- Involves the removal of a wall which not within the property of the applicant.
- Impact on daylight for future occupiers of the site from the existing mature trees along the road.
- Design, materials and colours of the proposed houses are not in keeping with the current houses in Grangebrook.
- Already an overdevelopment of Grangebrook. Previous local objective, since removed, to limit the number of houses at this location.
- Query whether grass verge/path outside the boundary walls is Council land and if ownership has been given over to the applicant. This land is currently used by local children as a bike track.
- No consideration to overlooking on Grangebrook residents.
- Proposed extension to existing house at Palmyra would now be visible to Grangebrook.
- Close proximity of House No. 8 to the rear garden walls of No. 33-39 Grangebrook Avenue results in a loss of tree cover and privacy. There is also no reference to a shadow study at this location.
- Proposed density is higher than provided for in the County Development Plan.
- Proposed houses will directly overlook and overshadow No. 48 Grangebrook Avenue.

Heritage and Archaeology

- Impact on the ecclesiastical site adjacent to the site and views to it.
- Inadequate assessment of archaeological significance of the site and relationship with adjoining graveyard. Submitted documentation does not contain a complete history of the site.
- Demolishes structures relating to the old milling structures or to the earlier Monastic settlement.

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Traffic, Parking and Access

- Increase car parking congestion in Grangebrook estate. Not clear from the plans how much parking will be available to each house.
- Exacerbate existing traffic congestion and car parking issues. Increase in traffic would endanger public safety by reason of traffic hazard and obstruction of road users. Existing issues in regard to access for emergency vehicles and waste collection trucks in the estate.
- Increase in number of driveways would lead to a potential of a dangerous section. Inadequate sightlines for oncoming traffic.
- Impact from construction traffic and parking in terms of health and safety. Mitigation measures required in regard to construction hours and impact on estate.
- Suggest use of existing vehicular accesses to existing house at Palmyra.
- No space available for a footpath at the ESB Sub-station so anyone using the path would need to cross the road to continue their journey.
- Query location of construction site compound and parking.

Biodiversity and Environment

- Proposal would involve the removal of a shed where bats are known to roost. Query adequacy of submitted bat survey.
- Impact on the habitat of fauna including along the river. Inadequate ecological surveys.
- Original deeds provided for access to Palmyra for the purposes of maintenance for 21 years and is now expired.
- Impact on the Glin River in terms of flooding and surface water runoff.
- Disturbance to existing land/vegetation and increased threat of vermin infestation.

Services

- Impact on foul drainage access works on existing residents.
- Additional pressure on existing services and impact on Grangebrook properties.

Other

- Location of site notice and drawings were not available for 10 days post lodgement.
- Queries why a Part V Certificate of Exemption was granted.
- No consultation with the residents or residents' association prior to lodgement of the application.

These submissions are noted and have been taken into consideration in the assessment of the proposed development.

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Relevant Planning History

Subject site

SD21B/0372

Construction of a two storey extension (floor area c.143sq.m) to the rear (west) of existing dwelling; construction of a single storey detached three bay carport/home office (floor area c.58.8sq.m) to the side (north) and (c) the provision of a new 100mm diameter foul drain connecting to the existing 225mm diameter foul sewer which is located in the access laneway; demolition of part ground and first floor element (floor area c.37sq.m) to the rear (west) of the existing dwelling and demolition of the two detached single storey outhouses (shed 1 & 2) located to the north and west, associated minor internal and external alterations and all ancillary site development works. **Further information requested in regard to bat surveys of existing structures for demolition, detail on trees to be removed and mitigation measures, impact on 19th century burial site, information on water, waste water and surface water, retaining walls, road safety audit, additional CGIs and requirements of the SDCC Architectural Conservation Officer.**

WA2371

Dwelling (dormer bungalow). **Further information was requested. It does not appear that this was received.**

Relevant Enforcement History

None recorded for subject site relevant to the current application according to APAS.

Pre-Planning Consultation

Pre-Planning Ref. PP013/20

Construction of 9 two storey houses and all ancillary site development works and all ancillary site development works, and boundary treatments all accessed from Grangebrook Ave on site of c.0.21 ha formally part of the property 'Palmyra'. The 9 houses consist of: House no. 1 is detached, 3 bedrooms, 2 storey. Houses no. 2-4 incl. are 3 bedrooms, 2 storey. Houses no. 5-7 incl. are 4 bedroom, 2 storey- all in one block all with access to the rear gardens. Houses no. 8 and 9 are semi-detached, 3 bedrooms, 2 storey.

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

H17 Objective 2:

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To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

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.

3 Community Infrastructure

Section 3.8.0 Burial Grounds

Policy C6 Burial Grounds

7 Infrastructure & Environmental Quality

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

Section 7.5.0 Waste Management

Policy IE5 Waste Management

Section 7.7.0 Environmental Quality

Policy IE7 Environmental Quality

8 Green Infrastructure

Policy G1 Overarching

Section 8.1.0 Green Infrastructure Network

Policy G2 Green Infrastructure Network

Section 8.2.0 Watercourses Network

Policy G3 Watercourses Network

Section 8.4.0 Sustainable Urban Drainage Systems

Policy G5 Sustainable Urban Drainage Systems

Section 8.5.0 Green Infrastructure within Urban Areas

Policy G6 New Development in Urban Areas

9 Heritage, Conservation & Landscapes

Policy HCL1 Overarching

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Section 9.1.1 Archaeological Heritage

Policy HCL2 Archaeological Heritage

Section 9.1.2 Protected Structures

Policy HCL3 Protected Structures

Section 9.1.4 Older Buildings, Estates and Streetscapes

Policy HCL5 Older Buildings, Estates and Streetscapes

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 sites

11 Implementation

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

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 11.3.9 Burial Grounds and Crematoria

Section 11.4.1 Bicycle Parking Standards

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 11.5.1 Archaeological Heritage

Section 11.5.2 Protected Structures

Section 11.5.4 Older Buildings, Estates and Streetscapes

Section 11.5.5 Landscape

Section 11.6.1 Water Management

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.

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- Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2009).
- Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).
- Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Part V;
- Land Ownership;
- Architectural Conservation;
- Archaeological Conservation;
- Residential Amenity;
- Visual Amenity;
- Landscape;
- Traffic, Access and Parking;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The proposed development is consistent in principle with zoning objective 'RES' – *'To protect and/or improve residential amenity'*. Residential development in this zoning is Permitted in Principle. Therefore, the proposed redevelopment of the site for residential development is considered to be generally acceptable, subject to further assessment against the relevant policies, objectives and standards set out under this Plan.

Part V

The SDCC Housing Department have provided a report on the proposed development. It is noted that a Part V exemption certificate under S.96 was granted on 23rd of October 2020, prior to the enactment of the Affordable Housing Act 2021. Under the Affordable Housing Act 2021, a Part

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V condition should apply however the validity of the exemption certificate granted is under consideration.

Land Ownership

The applicant has submitted a site layout plan showing the area taken in charge by South Dublin County Council. This appears to overlap with the subject site along the western boundary. However, no letter of consent has been submitted with the application from South Dublin County Council for these works. **The applicant should be requested to obtain a letter of consent from South Dublin County Council for works on land in control of the Council. This should be requested via additional information.**

Architectural Conservation

To the north of the subject site is Protected Structure RPS No. 334 Whitechurch, Rathfarnham Ecclesiastical Remains, Church (Ruin), Graveyard, Font, Grave slab(s), Cross Fragment, Bullaun (RM). The closest proposed dwelling (House No. 1) would be approx. 12.5m from the site of this Protected Structure. To the east of the site is Protected Structure 338 Whitechurch Lodge (Two Storey Georgian Style House). Palmyra House, located to the east of the site, is not a Protected Structure, however, is noted as being built early-mid 19th century. Although the building is not protected it does appear to have retained a large amount of its historical features and is an attractive building. Therefore, any adjacent development should be sympathetic to this structure and its setting.

The SDCC Architectural Conservation Officer has reviewed the proposed development and has concerns in regard to the design of the proposal:

Looking at the details it is considered that the overall design and material type is not in keeping with the existing character and original building profile in the area – Whitechurch Lodge, Whitechurch Church and Graveyard and Whitechurch Church of Ireland Church and school house.

Although there are other modern groups of houses within the vicinity it is considered that the collection of historic/protected structures are grouped near to Palmyra House and therefore should be given consideration with regard to their design and finishes. The streetscape character is particularly important within the subject site and also how the new development adjoins within the curtilage of Palmyra House and the overall setting. Although Palmyra House is not a Protected Structure it is considered to be of architectural significance and its landscape setting at this location adds to the character of the area in identifying the historic significance of the site. It is considered that a simpler form and reduced mass would allow the houses to sit more

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comfortably within the subject site and would allow for a more modest and vernacular style of housing reflecting the character area and very rural setting.

I feel that a more sensitive modest and vernacular style of house executed in a contemporary style would ensure a more suitable and high quality development at this location to reflect the existing setting and architectural significance of the adjoining and nearby collection of historic and protected structures. It is therefore considered that the dwellings should be revised to address the above issues and concerns. I would recommend that a Design Rationale is provided to take account of the collection of historic structures/protected structure sites within the vicinity and the streetscape setting and character of the area. It is felt that due to the positioning of the proposed new dwellings it is felt that the overall design should add architectural interest and quality to the area and not detract or cause any negative visual impacts. Any redesign should take account of the above in order to address these issues.

The boundary treatment and how the new site will adjoin and sit within the landscape setting of Palmyra House should be addressed and details provided accordingly. Any such boundary treatment to the rear of the new dwellings should not cause any negative visual impact on the existing house and its overall setting. It should be noted that a separate application under Reg. Ref. SD21B/0372 has been submitted for works to Palmyra House including a large rear extension, it is therefore important that the new developments do not conflict with regard to setting and architectural style. Consideration should be given to any such conflicts within the revised design for the new dwellings.

The report from the Architectural Conservation Officer is noted. However, it is noted that the site is well setback from Whitechurch Lodge and Whitechurch Church of Ireland Church and school house. The nearest Protected Structure to the site is ecclesiastical remains and other features, which are largely screened from view from Grangebrook Avenue. It is noted that the proposed would remove trees which may open views of this Protected Structure. The proposed houses closest to this Protected Structure (House Nos 1 and 2) are of a lesser scale than the other proposed houses.

The Planning Authority therefore does not consider a revision of the scale of the proposed houses should be requested for the advised reasons. **However, the applicant should be requested to submit a Design Rationale to take account of the collection of historic structures/protected structure sites within the vicinity and the streetscape setting and character of the area.** The visual impact of the proposed development is further assessed in this report.

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The proposed treatment for the boundary with Palmyra House is to be a 2.0 m high blockwork wall with concrete capping and plaster to the elevation facing Palmyra. The submitted boundary treatment shows that this wall would extend along the site of the 19th century burial ground, however, this should be clarified as outlined in the following section.

Archaeological Conservation

The National Monuments Service list Recorded Monuments DU022-030 to DU022-03007 at Whitechurch Road. This includes at the site to the north of the subject site comprising the ecclesiastical remains, church ruin, graveyard and other features. This site has a specific objective in the County Development Plan 'To protect and/or provide for a Burial Ground'. Adjoining the subject site to the east is a 19th century burial site. These sites are considered to be of archaeological significance.

The applicant has submitted an Archaeological Assessment which recommends that the lane to Palmyra adjacent to the graveyard wall should not be used for construction traffic if possible, if it has to be used a strategy for ensuring that the wall is not accidentally damaged should be implemented. It also recommends that the northern garden area (proposed houses Nos. 1 and 2) should be mechanically reduced to natural subsoil under archaeological supervision in advance of ground works. Where archaeological material is found to be present, the archaeology should be assessed, and then excavated unless very significant, in which case other options should be considered. Based on the results of this the remainder of the proposed development should have archaeological monitoring of excavation groundworks.

Proposed House Nos 1 and 2 are located the closest to the archaeological significant sites. Adjacent to the sites would be the car parking, bin area and rear garden of No. 1 and the rear garden of No. 2. The Archaeological Assessment advises that test-trenching or geophysical survey of this area is impractical because of trees and site access. It is Council policy to ensure that development is designed to avoid impacting on archaeological heritage and that development does not detract from the setting of the site and is sited and designed appropriately. The applicant should be conditioned to undertake appropriate testing of the site, including test-trenching.

The assessment also recommends that consideration should be given to planting and boundary treatments in the northern portion of the proposed development in order to minimise the visual and physical impact to the adjacent sites. The submitted boundary treatment drawing shows a 2.0m high blockwork wall along the boundary of the adjacent 19th century burial site. It also shows a 1.8-2.0m high blockwork wall along the boundary near the ecclesiastical site. The Planning Authority has concerns in regard to the replacement of the existing boundary with the

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19th century burial site. The applicant should be requested to leave the boundary as existing along this adjoining site. **This can be addressed by way of additional information.**

It is noted that the recommendations made in the Archaeological Assessment are subject to approval from the National Monuments Service. Third party submissions raised concerns in regard to the research conducted for this assessment. It is noted that the site is recognised as being proximate to a site of archaeological significance and the assessment reflects this as such.

Residential Amenity

Existing Residential Amenity

The development would provide for the demolition of 2 existing structures onsite, a small greenhouse and a single storey structure. The single storey structure is located in the southern part of the site. The applicant should be requested to clarify what this single storey structure is used for. Elevations and floor plans of the structure for demolition should be submitted. **This can be requested by way of additional information.**

The proposed development would provide for the construction of 8 no. two storey houses (3 house types) along Grangebrook Avenue. The development is located within the curtilage of the existing house at Palmyra. At the southern boundary House No. 8 would be setback approx. 12.7m from the existing dwelling to the south. The proposed dwelling would be approx. 1.8m from this southern boundary. The southern elevation of House No. 8 would have windows at first floor to bathrooms with obscured glass to mitigate overlooking. The proposed houses would be separated by over 30m from Nos. 1 and 2 Whitechurch Dale, located across from the site across Grangebrook Avenue. At the north House No. 1 would be located approx. 27.2m from the nearest dwelling to the north.

The closest proposed dwellings to the existing dwelling at Palmyra are House Nos. 1, 2 and 3. At the closest point House No. 2 would be located approx. 26.3m from the existing house. There is a current application for an extension to the existing house at Palmyra which is currently at further information stage (Reg. Ref. SD21B/0372). House No. 2 would be located approx. 17.4m to 18.9m from the proposed extension at Palmyra. The proposed houses would be located at a higher ground level than the house at Palmyra. A site section has been submitted showing separation distances between the proposed House No. 2 and Palmyra, however, this does not include the proposed extension to Palmyra. **A revised Typical Site Section C-C drawing should be submitted showing the extent of the proposed extension for Palmyra currently under consideration.**

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In terms of building heights all proposed houses would be two storeys in height. House Types B1 and B2 would be approx. 8.1m in overall height. House Type A1 would be approx. 9.5m in overall height. The site is sloping along Grangebrook Avenue from north upwards to south. The proposed House Nos. 7 and 8 would sit higher than the existing house at No. 33 Grangebrook Avenue. This is not considered acceptable especially given that the site is at a lower ground level than this adjoining property. **Given the scale and proximity of House Nos. 7 and 8 in regard to existing residential development, the applicant should be requested to reduce the scale of these houses.**

Standard of accommodation

Three house types are proposed, Types A1, B1 and B2. Of the 8 houses proposed 6 would be House Type A1, 1 House Type B1 and 1 House Type B2. House Type B1 (House No. 1) is located at northernmost point of site, House Type B2 (House No. 2) is located to the south of this house followed southwards by the House Types A1 (House Nos. 3 to 8). House Types B1 and B2 are detached, whereas House Types A1 are semi-detached. All houses are 4 bedroom (7 people) apart from House Type B1 which is 3 bedroom (6 people). In terms of internal areas the house types would meet the minimum floorspace requirements for the total area, bedrooms and storage under the County Development Plan and Quality Housing for Sustainable Communities Guidelines.

Separation distances between the proposed houses, which would face side by side, would range from approx. 1.0m to 2.8m. Obscured glass would be provided on the windows on the elevations facing one another to mitigate overlooking. The proposed rear amenity spaces would meet the minimum standards required under the County Development Plan in terms of quantity. However, it is noted that the site is sloping, and it is not clear from the application material whether the rear gardens would slope. Further detail is required in regard to this and to the usability of these spaces. **The applicant should submit proposed site sections and a proposed site plan with contours demonstrating the usability of the rear gardens.**

The proposed development does not include the provision of public open space. Under the County Development Plan all new residential development in 'RES' zoning shall be required to incorporate a minimum of 10% of the total site area as public open space. It is noted that the provisions relating to infill residential development allow for reduced open space standards to be considered subject to appropriate safeguards to protect residential amenity. However, the Planning Authority has concerns in regard to the lack of provision of public open space. Public open space provision is examined in the context of the quality and quantum of private open space and the proximity of a public park. **The applicant should be requested to address this as part of additional information.**

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The proposed boundary treatments would be a 0.9m high brick pier with concrete capping and 0.85m high black metal railing along the front of the houses and to separate front gardens. The rear gardens would be separated by 1.8m high concrete post and plinth with treated timber infill panels. The rear boundary shared with Palmyra would be a 2.0m high blockwork wall with concrete capping and a fairfaced finish to the houses. The proposed boundary treatments are acceptable in this instance (apart from where it adjoins the 19th century burial site). The use of low walls to the front would provide for passive surveillance.

Visual Amenity

Under the County Development Plan infill development should be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual. 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.

The proposed materials for the dwellings are country manor brick (cygnet blend) and render. The materials of the existing dwellings in the estate are brick (of a different colour) and render. House Type A1 would have hipped roofs and the House Types B1 and B2 would have pitched with the gable ends facing to the sides. The majority of the existing houses in the estate have hipped roofs. However, it is noted that there are instances of pitched roofs. The form of the proposed houses is considered to be in keeping with the surrounding built form. The materials are noted as being of a different colour (brick) and could be designed to reflect the materials on existing dwellings. **This can be addressed by way of additional information.**

The applicant has submitted CGI images of the proposed development; however, these focus on the proposed houses rather than how they sit in the wider context of the area. The applicant should be requested to submit CGIs/photomontages of the proposed development from further back along Grangebrook Avenue and showing more of the context of the existing estate. **This can be requested via additional information.**

Landscape

The applicant has submitted a landscape design drawing, arboricultural documentation, an Ecological Impact Assessment, and a Natura Impact Statement. The Public Realm Department have reviewed the proposed development and request further information:

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The Public and communal open spaces for the proposed development should be designed to all relevant qualitative standards, in addition public and communal open spaces should be designed to be usable and functional within the overall proposed development.

Existing Trees and Green Infrastructure

The subject site contains a large number of trees. The southern boundary of the site abuts the rear gardens of residential properties located with Grangebrook Avenue. The tree line immediately adjacent to the rear gardens and consists of early mature Leyland Cypress. Located in front of these trees within the site is a row of early-mature and mature beech trees. These trees, along with the mature beech trees along the western boundary once formed a hedgerow. The northern boundary of the site contains a mixture of ash and sycamore trees.

Arboricultural Impact

The proposed development will require the removal of 58 no. trees, three groups of trees and the part removal of two groups of trees. With the exception of one B Category pine tree, the proposed development will require the removal of all trees and vegetation from within the application site boundary. The loss of these trees will have a significant negative impact on the visual appearance, canopy cover, biodiversity and local GI; this is not acceptable to the Public Realm Section. The applicant shall provide a revised layout which significantly reduces the impact of the proposed development on the existing mature trees, especially those trees located along the western boundary which are proposed to be removed

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

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. No Sections/Elevations through the landscape proposals have been provided.

*The applicant is requested to provide a fully detailed landscaping scheme for the proposed development. The applicant shall provide a landscape rationale and a fully detailed landscape plan including Sections and Elevations and a full works specification that accords with the specifications and requirements of the Council's Public Realm Section. **ADDITIONAL INFORMATION.***

REASON: To assimilate the development into its surroundings, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting and policies HCL7 Objective 1 and HCL7 Objective 2 of the CDP 2016-2022.

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2. Arboricultural Impact of the Proposed Development

The impact of the proposed development on the existing trees contained within the development site is not acceptable to the Public Realm Section; and would contravene policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 and other GI policies and objectives in the CDP. The current proposal will have a negative impact on existing trees within the development site area. The proposed development will require the removal of 58 no. trees, three groups of trees and the part removal of two groups of trees. Response should include a revised layout to significantly reduce the impact of the proposed development on the existing mature trees, especially those trees located along the western boundary which are proposed to be removed. ADDITIONAL INFORMATION

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

3. Impact of Development on Green Infrastructure

The Public Realm Section consider that the proposed development is contrary to Policy G5 - Sustainable Urban Drainage Systems and Objective G5 1 and G5 2 in the County Development Plan. The applicant should be requested to:

- 1. revisit the design and layout of the proposed development and demonstrate how the development will comply with these policies and objectives in a separate report*
- 2. submit revised plans and particulars addressing item a) and to include the following:*
 - i. Significantly reduce the impacts of the development on existing green infrastructure especially the mature boundary trees within the proposed development site*
 - ii. Demonstrate how natural SUDS features can be incorporated into the design of the proposed development*
- 3. Submit green infrastructure proposals that will mitigate and compensate for the impact of the proposed development on this existing tree canopy. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds, construction/bioretention tree pits etc.) and planting for carbon sequestration and pollination to support the local Bat population. Response should include revised layout and drawings.*

ADDITIONAL INFORMATION

5. SUDS

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network.

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A maintenance plan shall also be included as a demonstration of how the system will function following implementation.

Additional natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits. In addition, the applicant should provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.*
- Street Trees shall be planted in public open space with suitable tree pits that incorporates SuDS features in accordance with SDCC Adamstown Street Design Guide, Section 6.3 Side Street Design.*
- Tree pit incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground*

ADDITIONAL INFORMATION

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 it is proposed to Grant permission then the following conditions shall apply:

1. Landscape Design Proposals

The applicant shall submit a detailed landscape design rationale and comprehensive and detailed landscape proposals prepared by a qualified Landscape Architect, for the written agreement of the Public Realm Section. Such proposals shall include a scaled landscape plan(s) with cross- sections, showing the layout and hard and soft treatment of all boundaries, features, external areas and green spaces. The proposals shall be accompanied by specifications for materials, workmanship and maintenance, together with proposed design details. Hard landscape details are to include, where applicable, those for any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features. Soft landscape details are to include detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation and spacings. The landscape plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and defects liability clause. CONDITON

REASON: To assimilate the development into its surroundings, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting and policies HCL7 Objective 1 and HCL7 Objective 2 of the CDP 2016-2022.

2. Ecological Impact Assessment

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The proposed recommendations and mitigation measures contained within the submitted Ecological Impact Assessment prepared by Forest, Environmental Research and Services Ltd shall be implemented in full by the applicant.

REASON: To ensure the protection of the natural Heritage of the site in accordance with policies IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

3. Tree Protection Measures

*No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. Within the root protection areas, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered. **CONDITION***

REASON - To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, 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. Alien Invasive Plant Species Management and Control Plan

The applicant shall prepare and implement an Alien Invasive Plant Species Management and Control Plan prior to the commencement of any construction related activity.

REASON – To ensure that no propagules of any species listed in Part (1) of the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations of 2011 (as amended) are not introduced to the subject site during construction or activity.

Summary

The Public Realm Section would have some concerns regarding the impact of this proposed development on the existing tree cover contained within subject site. The proposed development in its current configuration will have a detrimental effect on the existing trees and associated biodiversity and ecology contained within the development site area. This is proposed development would materially contravene policy G2 Objective 9, G4 Objective 5, G2 Objective

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13, G6 Objective 1, HCL15 Objective 3 and other GI policies and objectives in the County Development Plan.

The Public Realm Section is requesting that the applicant alter the layout of the proposed development in order to ensure that a much higher percentage of existing mature trees are retained and considered as part of the overall development layout.

The report from the Public Realm Section is noted. **The above items should be requested by way of additional information.**

Ecological Impact Assessment

It is noted that the Public Realm section have recommended that the proposed recommendations and mitigation measures contained within the submitted Ecological Impact Assessment prepared by Forest, Environmental Research and Services Ltd be implemented in full by the applicant. This can be addressed by way of condition. One of the submissions raised the adequacy of the submitted bat survey. Having reviewed the EIA, it is considered that the bat survey was demonstrated as being comprehensive, carried out in both winter and summer, addressing the whole site and associated bat activity. Notwithstanding, should bats be found on the site an application for a derogation licence will be required to be made to the National Parks and Wildlife Service.

Traffic, Access and Parking

Under Table 11.24 the maximum car parking rate for houses of this size in this location is 2 car parking spaces. Each proposed house would have 2 car parking spaces. The Roads Department has reviewed the proposed development and requests further information:

Items of concern:

- 1. The proposed new footpath widths are not shown, and vary considerably on drawing; dimensions required.*
- 2. The grass verge widths are also unclear; dimensions required.*
- 3. Explain whether new boundary wall is set back, or remains.*
- 4. Detail how footpath will continue past the electricity unit, and the steps leading to it.*
- 5. A speed ramp exists within the works scope – Clearer detail required showing if any proposed entrances front onto ramp.*
- 6. Detail how existing southern footpath links fully with new northern section of path.*

Taking in Charge:

All items to be offered to SDCC to be taken in charge must be to the council's TIC Standards.

Roads recommend that additional information be requested from the applicant

Additional Information required

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1. *Dimensioned drawing showing widths for proposed new footpath, and grass verge.*
2. *Detail whether new boundary wall is set back.*
3. *Detail how footpath will continue past the electricity unit, and the steps leading to it.*
4. *Detail required showing if any proposed entrances front onto traffic calming ramp.*
5. *Detail how existing southern footpath links fully with new northern section of path.*

The report from the Roads Department is noted and should be requested by way of **additional information**.

Services and Drainage

Water Services has reviewed the proposed development and requests further information in regard to surface water and flood risk:

Surface Water

1.1 *There are no soil percolation test results submitted for the proposed soakaways to the front of the individual dwellings. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaways in accordance with BRE Digest 365 – Soakaway Design.*

1.2 *The applicant is required to submit a revised surface water drainage layout drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaways. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*

- i) *At least 5m from any building, public sewer, road boundary or structure.*
- ii) *Generally, not within 3m of the boundary of the adjoining property.*
- iii) *Not in such a position that the ground below foundations is likely to be adversely affected.*
- iv) *10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- v) *Soakaways must include an overflow connection to the surface water drainage network.*

Flood Risk

2.1 *There is no flood risk assessment submitted for the proposed development. The applicant is required to submit a site-specific flood risk assessment report for the development in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report shall outline the location of the proposed development in relation to any adjacent known flood plains and shall outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands. Finished floor levels shall be above the closest known 1 in 100 year river flood level data point with appropriate freeboard.*

The report from Water Services is noted and should be requested by way of **additional information**.

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

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

With the application the applicant has submitted AA Screening and a Natura Impact Statement prepared by Forest, Environmental Research and Services Ltd. As part of their screening they found that the development may have significant impacts on the North Dublin Bay SAC, South Dublin Bay SAC, North Bull Island SPA, and South Dublin Bay and River Tolka Estuary SPA in regard to impact of the proposed development on Whitechurch Stream.

The Planning Authority considers that further information is required, especially in regard to surface water runoff, to ascertain if a Stage 2 Appropriate Assessment is required. **If necessary, the AA Screening and Natura Impact Statement should be reviewed in light of any revisions to the proposed development as part of additional information.**

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the scale, design and standard 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 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

Request Additional Information.

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Additional Information

Additional Information was requested on the 28th of October 2021.

On the 5th of April 2022 the additional information period was extended up to and including the 6th of August 2022.

Additional Information was received on the 6th of May 2022 (not deemed significant).

Additional Information Consultations

Water Services – clarification of additional information requested.

Irish Water – no objections subject to conditions.

Roads Department – clarification of additional information requested.

Public Realm Section – no objections subject to conditions.

Architectural Conservation Officer – no objections subject to conditions.

Assessment

Item 1 Requested

The applicant has submitted a site layout plan showing the area taken in charge by South Dublin County Council. This appears to overlap with the subject site along the western boundary. However, no letter of consent has been submitted with the application from South Dublin County Council for these works. The applicant is requested to submit a letter of consent from South Dublin County Council for works on land in control of the Council.

Assessment:

The applicant has submitted a letter of consent from South Dublin County Council dated the 23rd of November 2021 confirming the consent for inclusion of lands in control of SDCC. It is therefore considered that this item has been satisfactorily addressed.

Item 2 Requested

The development would provide for the demolition of 2 existing structures onsite, a small greenhouse and a single storey structure. The single storey structure is located in the southern part of the site. The applicant is requested to clarify what this single storey structure is used for. Elevations and floor plans of the structure for demolition should be submitted.

Assessment:

The applicant states that the single storey structure is a derelict garden shed. Elevational and plan drawings and photos of this structure have been submitted. The demolition of this structure is therefore considered to be acceptable. It is considered that this item has been satisfactorily addressed.

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Item 3 Requested

The Planning Authority has concerns in regard to the proposed development's impact on existing residential and visual amenity. While the proposal is largely acceptable in principle, design changes are advised to help it better integrate with the surrounding built form. This includes a reduction in the scale of House Nos. 7 and 8 given its proximity and scale compared to existing residential development. The proposed materials are also noted as being of a different colour (brick) and could be designed to reflect the materials on existing dwellings. The applicant has submitted CGI images of the proposed development; however, these focus on the proposed houses rather than how they sit in the wider context of the area. The applicant is requested to submit CGIs/photomontages of the proposed development from further back along Grangebrook Avenue and showing more of the context of the existing estate. The applicant is also requested to submit a Design Rationale to take account of the collection of historic structures/protected structure sites within the vicinity and the streetscape setting and character of the area.

Assessment:

Revised drawings have been submitted showing that the house types for House Nos. 7 and 8 changed to House Type C a 3 bed (5 person) 2 storey semi-detached dwelling (reduced from 4 bed). This house type is semi-detached with a pitched roof (previously proposed as hipped), The house and the bedrooms would meet the minimum floorspace requirements of the County Development Plan and Quality Housing for Sustainable Communities Guidelines. The storage provided would be approx. 4.5sq.m, which is under the 5sq.m requirement. However, this is acceptable given that the house exceeds the total floorspace requirements.

House No. 8 has been further setback from the southern boundary, so it is approx. 2.6m from this boundary (previously proposed at 1.8m). The house would be approx. 13.5m from the first floor of the existing house to the south. The first floor window on the elevation of House No. 8 facing this house would be obscured. The proposed house is reduced in height to approx. 8.4m in overall height (reduced from 9.5m). It would therefore be similar in height to the adjoining existing dwelling to the south.

House Nos. 3, 4, 5 and 6 have changed house types to House Type A. This house type would still be a 4 bed (7 person) 2 storey house and be approx. 145sq.m in size. The house type would meet the minimum floorspace requirements. The main external change is in relation to the design and form of the house. These house types are semi-detached with a pitched roof (previously proposed as hipped). The overall height of these houses is reduced to approx. 8.6m in overall height (reduced from 9.5m).

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The proposed materials and colours on all the proposed houses have been changed. The materials now proposed are a red/orange brick and monocouche natural blanc render or similar. These are more inkeeping with existing residential development in the vicinity and are considered to be acceptable. All the proposed houses would now have pitched roofs.

Revised CGIs have been submitted. This includes an aerial view of the proposed development. This provides for view of the development in the context of the existing estate. A Design Rationale has also been submitted for assessment. This information shows that the proposed houses as revised would be visually acceptable.

SDCC's Architectural Conservation Officer has reviewed the additional information submitted and stated:

Item 3 – It is stated that House No. 7 and 8 have now been changed to a pair of 3 bed, 2-storey semi-detached from the previously proposed pair of 4 bed, 2-storey. These revisions results in a reduction in scale, massing and footprint more comparable to the existing residential development sought. The new house type for sites 7 and 8 is indicated on enclosed amended site layouts and house Type C. The amendments are also applied to the 4 bed, 2-storey semi-detached houses on sites 3,4,5 & 6 so as to maintain consistency on design, finishes, height and massing. The proposed materials and colours have been amended to reflect and harmonise with that of the existing dwellings.

A design rationale has been provided in response to the RFI which provides information on the site context in proximity to Protected Structures and the overall character of the area and rural streetscape setting. It states that the infill development should be considerate to the overall site context and protected structures and to achieve this the amended designs as prompted by the planning authority by the RFI provides architectural interest by encompassing carried design elements. It is also stated that the house designs are to a high standard and will be finished to a high quality in terms of building materials. It is considered that the proposed re-design and amendments are acceptable in achieving an improved design and building type.

The ACO recommends a condition that a schedule of materials should be submitted for approval and written agreement in order to confirm the final materials and finishes and to ensure they deliver in providing high quality new build. This report is noted and should be conditioned as such.

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Given the revised changes to the form, location and design of the houses it is therefore considered that they would be in compliance with policy in relation to impact on residential and visual amenity. The revised design would be more inkeeping and complement the existing estate and not lead to significant negative impacts on neighbouring residents.

It is therefore considered that this item has been satisfactorily addressed.

Item 4 Requested

There is a current application for an extension to the existing house at Palmyra which is currently at further information stage (Reg. Ref. SD21B/0372). House No. 2 would be located approx. 17.4m to 18.9m from the proposed extension at Palmyra. The proposed houses would be located at a higher ground level than the house at Palmyra. A site section has been submitted showing separation distances between the proposed House No. 2 and Palmyra, however, this does not include the proposed extension to Palmyra. A revised Typical Site Section C-C drawing should be submitted showing the extent of the proposed extension for Palmyra currently under consideration.

Assessment:

A revised Site Section C-C drawing has been submitted showing the now approved extension to the existing dwelling on the adjoining lands. This extension is stepped so that the first floor is similar in ground floor level to the ground floor of proposed House No. 2. The proposed house would be sufficiently setback from this extension. SDCC's Architectural Conservation Officer also considers the separation distance to be acceptable. The ACO states that that natural screening should be improved, and additional planting provided along the shared boundary of House No. 2 and Palmyra House to help minimise views and improve views at this location. The ACO has recommended a condition to this effect. The proposed landscape plan includes trees in the rear gardens. The Public Realm Section have also proposed a condition regarding planting, so it is considered this will be addressed. It is therefore considered that this item has been satisfactorily addressed.

Item 5 Requested

The submitted boundary treatment drawing shows a 2.0 m high blockwork wall along the boundary of the adjacent 19th century burial site. The Planning Authority has concerns in regard to the replacement of the existing boundary with the 19th century burial site. The applicant is requested to leave the boundary as existing along this adjoining site. A revised boundary treatment drawing should be submitted.

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Assessment:

The applicant has submitted a revised proposal which would leave the boundary wall with the adjacent 19th century burial site as is. Revised drawings have been submitted confirming this. This wall would form part of the rear boundary for House Nos. 1 and 2. A section of the existing boundary wall of the protected structure site is to be repaired as indicated on the submitted revised drawing re boundary treatments.

SDCC's Architectural Conservation Officer has recommended a condition that requires a safety statement detailing how the wall will be protected and safeguarded during the proposed development. Conservation repairs should be carried out using traditional methods and materials and a full schedule of works for repairs including a methodology and specification should be provided for approval and written agreement prior to the commencement of development. The Planning Authority also considers that a condition should be included requiring for any further works (including exempted development) regarding this wall, not covered by this application, to require planning permission. It is therefore considered that this item has been satisfactorily addressed subject to **conditions**.

Item 6 Requested

The Planning Authority has concerns in regard to the usability of the private open space, in the form of rear gardens, and the lack of public open space. The site is sloping, and it is not clear from the application material whether the rear gardens would slope. Further detail is required in regard to this and to the usability of these spaces. The applicant is requested to submit proposed site sections and a proposed site plan with contours demonstrating the usability of the rear gardens. In regard to public open space the applicant is requested to submit a revised proposal demonstrating how the proposed development complies with the public open space requirements of the South Dublin County Development Plan 2016-2022 and to provide public open space for the proposed development. Dwellings should be revised accordingly and surveillance provided of such public open space.

Assessment:

The applicant has submitted site sections and a proposed site plan with contours. The ground level changes slightly from south to north (downwards). The change in levels is not so significant so as to render the rear gardens unusable.

In relation to public open space the applicant refers to provision, in relation to infill residential development, for reduced open space standards subject to appropriate safeguards to protect residential amenity. The applicant refers to existing public open space in Grangebrook Estate. There are also areas (zoned open space) at the entrance of the estate off Whitechurch Road. A

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drawing has been submitted showing the location of these spaces in relation to the subject site. The applicant proposes a financial contribution in respect of this. Given the quantity and quality of private open space proposed and proximity of the houses to existing public open space, the proposed development is considered to be acceptable. It is therefore considered that this item has been satisfactorily addressed.

Item 7 Requested

The SDCC Public Realm Section has concerns in regard to the impact on existing trees and the lack of information in regard to landscape and SUDS. The applicant is requested to submit the following information:

(a) A fully detailed landscaping scheme for the proposed development. The applicant should provide a landscape rationale and a fully detailed landscape plan including Sections and Elevations and a full works specification that accords with the specifications and requirements of the Council's Public Realm Section.

(b) The impact of the proposed development on the existing trees contained within the development site is not acceptable to the Public Realm Section, and would contravene Council policy. The current proposal will have a negative impact on existing trees within the development site area. The proposed development will require the removal of 58 no. trees, three groups of trees and the part removal of two groups of trees. A response should be submitted including a revised layout to significantly reduce the impact of the proposed development on the existing mature trees, especially those trees located along the western boundary which are proposed to be removed.

(c) The Public Realm Section consider that the proposed development is contrary to Policy G5 - Sustainable Urban Drainage Systems and Objective G5 1 and G5 2 in the County Development Plan.

The applicant should be requested to:

(1) Revisit the design and layout of the proposed development and demonstrate how the development will comply with these policies and objectives in a separate report.

(2) Submit revised plans and particulars addressing the above item and to include the following:

i. Significantly reduce the impacts of the development on existing green infrastructure especially the mature boundary trees within the proposed development site.

ii. Demonstrate how natural SUDS features can be incorporated into the design of the proposed development.

(3) Submit green infrastructure proposals that will mitigate and compensate for the impact of the proposed development on this existing tree canopy. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds, construction/bioretention tree pits etc.) and planting for carbon

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sequestration and pollination to support the local Bat population. Response should include revised layout and drawings.

(d) A comprehensive SUDS Management Plan should be submitted 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. Additional natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits. In addition, the applicant should provide the following:

(1) Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.

(2) Street Trees shall be planted in public open space with suitable tree pits that incorporates SUDS features in accordance with SDCC Adamstown Street Design Guide, Section 6.3 Side Street Design.

(3) Tree pit incorporating SuDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground.

Assessment:

The applicant has referred to the landscaping and arboricultural information submitted. An Environmental Services Report (Surface Water Disposal/ Treatment Design Only) and Ground Investigation Report have been submitted in relation to surface water.

The Public Realm Section have reviewed the additional information subject and have no objection subject to conditions:

The Public Realm Section would still have concerns regarding the lack of information provided in relation to the following items:

1. Landscape Proposals

The Public Realm Section is not satisfied with the information submitted as part of the requested for additional information. The landscaping proposals for the proposed development lack detail and the applicant is therefore requested to provide the following information:

i. The applicant is requested to submit a landscape design rationale and comprehensive and detailed proposals. Such proposals should include a scaled landscape plan(s) with cross-sections, showing the layout and hard and soft treatment of all boundaries, features, external areas and green spaces.

ii. The proposals shall be accompanied by specifications for materials, workmanship and maintenance, together with proposed design details. Hard landscape details are to include,

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where applicable, those for any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features.

iii. Soft landscape details are to include detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation and spacings. The landscape plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and defects liability clause.

2. SUDS

The applicant has not proposed any natural SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is required to submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022'. Examples of natural SUDS measures include; permeable paving, green roofs, grass areas, tree pits, channel rills, swales, ground attenuation ponds etc.

3. Arboricultural Impact

The proposed development will require the removal of 58 no. trees, three groups of trees and the part removal of two groups of trees. With the exception of one B Category pine tree, the proposed development will require the removal of all trees and vegetation from within the application site boundary. The loss of these trees will have a significant negative impact on the visual appearance, canopy cover, biodiversity and local GI; this is not acceptable to the Public Realm Section. The applicant shall provide a revised layout which significantly reduces the impact of the proposed development on the existing mature trees, especially those trees located along the western boundary which are proposed to be removed

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 Plans

No development shall commence on site until a revised site landscape plan has been submitted to and has been agreed with the Planning Authority. The Landscape Plan shall be undertaken by a qualified and experienced landscape architect and address the following matters:

a) No trees are to be felled on site until a rationale for the felling which clearly distinguishes between the condition of the trees and the impact of the proposed development, has been proposed and agreed with the planning authority.

b) Details of Soft Landscape Design to include a detailed Planting Plan and Planting Schedule - as appropriate - stating species/varieties, indicative quantities, sizes, rootball

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presentation and spacings. Planting mixes should specify a diverse range of species/varieties/cultivars and a diversity of forms and plant sizes (multi-stems, feathered, semi-matures, etc.); using both native and exotic species and pollinator-friendly native species (in accordance with the All-Ireland Pollinator Plan 2015-2020), all designed to provide vegetation that is visually-appealing, bio-diverse, and easily managed.

c) A full set of plans and details of Hard Landscape Design for boundary treatments, seating, kerbs, edges, surfaces, lighting, and showing how the proposal will be coordinated with services & civil engineering elements.

d) Details of a Landscape Management and Maintenance Plan of both communal residential and publicly accessible areas to be implemented during operation of the development. All planting shall be adequately protected from damage until established and maintained thereafter. Any plants which die, are removed or become seriously damaged or diseased in the first 5 years of planting, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

e) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS: 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

f) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 "Trees in Relation to Design, Demolition and Construction – Recommendations".

CONDITION

REASON: *In the interest of visual amenity and to ensure the provision, establishment and maintenance of a reasonable standard of landscape.*

2. Arboricultural Impact of the Proposed Development

*The impact of the proposed development on the existing trees contained within the development site is not acceptable to the Public Realm Section; and would contravene policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 and other GI policies and objectives in the CDP. The current proposal will have a negative impact on existing trees within the development site area. The proposed development will require the removal of 58 no. trees, three groups of trees and the part removal of two groups of trees. Response should include a revised layout to significantly reduce the impact of the proposed development on the existing mature trees, especially those trees located along the western boundary which are proposed to be removed. **CONDITION***

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REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

4. SUDS

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation.

Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.*
- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development including drainage/attenuation calculations for same.*
- Additional Natural Suds measures should be provided in order to reduce the requirement for underground attenuation tanks in line with the development plan objectives.*
- A maintenance schedule for the proposed SUDS scheme.*

CONDITION

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.

5. Arboricultural Method Statement

*The applicant shall submit a detailed Arboricultural Method Statement (AMS). The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS. **CONDITION***

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

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6. *Tree and Hedgerow Protection Measures*

Prior to the commencement of CONSTRUCTION WORKS on site, the applicant shall submit a tree protection plan for the approval of the Public Realm Section. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);

b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction).

c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas.

d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation.

e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained.

f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.

e) A meeting with the Project Landscape Architect, Site Foremen, the appointed Arborist and a Parks Superintendent from the Public Realm Section shall take place on-site to inspect that:

i. all tree pruning & tree felling has been carried out appropriately and

ii. that the protective fencing has been erected prior as per the submitted Tree Protection Plan This fencing is to remain in place for the duration of the project.

The approved tree protection measures shall be retained in situ until the development has been completed. CONDITION

REASON: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

7. *Tree Bond and Arboricultural Agreement*

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €59,865.60 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.

The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial

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completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

*An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. 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 hedges/trees proposed for retention are alive, in good condition with a useful life expectancy. **CONDITION***

***REASON:** To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.*

8. Landscape Management and Maintenance

PRIOR TO COMMENCEMENT OF DEVELOPMENT** a Landscape and SUDS Management Plan which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved Landscape and SUDS Management Plan. **CONDITION

***REASON:** To provide for the satisfactory future maintenance of this development in the interest of visual amenity.*

9. Ecological Impact Assessment

*The proposed recommendations and mitigation measures contained within the submitted Ecological Impact Assessment prepared by Forest, Environmental Research and Services Ltd shall be implemented in full by the applicant. **CONDITION***

***REASON:** To ensure the protection of the natural Heritage of the site in accordance with policies IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.*

10. Taking in Charge

(a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

(b) A map delineating those areas to be taken in charge by the Local Authority and details of the legally constituted management company contract, and drawings/particulars describing the parts of the development for which the legally-constituted management company would have responsibility shall be submitted to, and agreed in writing with, the planning authority before any of the residential or commercial units are made available for occupation. The management

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scheme shall provide adequate measures for the future maintenance of public open spaces, roads and communal areas. CONDITION

REASON: To provide for the satisfactory future maintenance of this development in the interest of residential amenity

11. Bird and Bat Boxes

Prior to the occupation of the buildings a scheme to provide bird boxes and bat boxes/tubes on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the buildings are occupied and thereafter maintained. CONDITION

REASON: To encourage wildlife on the site.

The report from Public Realm is noted and should be **conditioned** in the event of a grant of permission.

Item 8 Requested

The SDCC Roads Department requests that the applicant submit the following:

- (a) Dimensioned drawing showing widths for proposed new footpath, and grass verge.*
- (b) Detail whether new boundary wall is set back.*
- (c) Detail how footpath will continue past the electricity unit, and the steps leading to it.*
- (d) Detail required showing if any proposed entrances front onto traffic calming ramp.*
- (e) Detail how existing southern footpath links fully with new northern section of path.*

Assessment:

The applicant has submitted Drawing No. D1194-2-32 which indicates dimensions, comparison of the current and proposed boundary walls, how the footpath would continue past the ESB substation, location of calming ramp confirming no entrances would front onto this, and how the southern footpath links with the northern section of path.

SDCC's Road Department have reviewed the additional information submitted and request clarification of additional information:

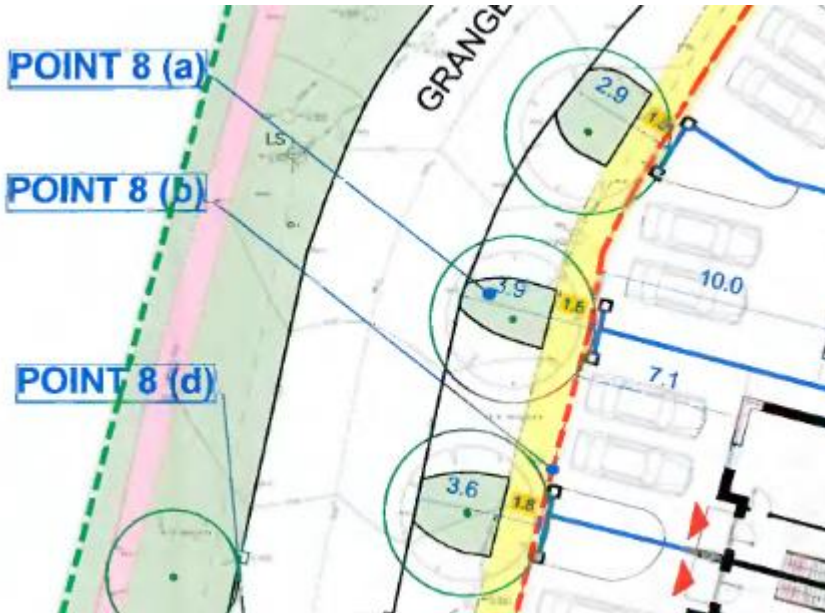
Applicant Submitted Response:

8 (a) & 8 (b)

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*Roads Department Assessment:
Satisfactory response to 8 (a) & 8 (b)*

*Applicant Submitted Response:
8 (c)*



*Roads Department Assessment:
Response mainly ok but the inflection in the footpath's directions must be smoothed out.
Clarification required.*

*Applicant Submitted Response:
8 (d) & (e)*

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*Roads Department Assessment:
Satisfactory response to 8 (d) & (e)*

Clarification of AI:

- 1. As per 8(c); Applicant to submit a drawing showing smoothed inflection in footpath alignment.*
- 2. Proposed vehicular entrance widths are not dimensioned and seem to exceed the maximum width of 3.5m in most cases.
Applicant to submit a drawing showing vehicular entrance widths of 3.5m width or less for all proposed dwellings.*

No Roads objections subject to the following conditions:

- 1. The boundary walls at both 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. The existing vehicular access points at "Hillcrest Walk" and "Hillcrest Green" road shall be limited to a width of maximum 3.5m wide for the proposed development.*
- 3. 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.*
- 4. Any gates shall open inwards and not out over the public domain.*

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5. *All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*

The report from the Roads Department is noted. In relation to 8(c) the applicant states that they will consult with the ESB networks and SDCC Roads Department to agree and confirm the exact details prior to commencement. The Planning Authority considers that this can be agreed by way of condition. The vehicular entrances should be conditioned to a maximum width of 3.5m. It is therefore considered the recommended **conditions** be included in the event of a grant of permission. The condition requiring vehicles to exit the site in a forward direction is not considered enforceable and should therefore not be included. This item has been satisfactorily addressed subject to conditions.

Item 9 Requested

The SDCC Water Services Department requests that the applicant submit the following:

(a) A report showing site specific soil percolation test results and design calculations for the proposed soakaways in accordance with BRE Digest 365 – Soakaway Design.

(b) A revised surface water drainage layout drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaways. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

i) At least 5m from any building, public sewer, road boundary or structure.

ii) Generally, not within 3m of the boundary of the adjoining property.

iii) Not in such a position that the ground below foundations is likely to be adversely affected.

iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.

v) Soakaways must include an overflow connection to the surface water drainage network.

Assessment:

The applicant has submitted a response including an Environmental Services Report (Surface Water Disposal/ Treatment Design Only) and Ground Investigation Report. This states that a site investigation was undertaken and found that the site was not suitable for soakaways.

Notwithstanding this the applicant is proposing permeable paving and underground attenuation within each proposed site.

Water Services have reviewed the additional information submitted and request clarification of additional information in relation to surface water:

1.1 There is insufficient information submitted regarding how much surface water attenuation is provided or what is required in m3.

Submit a report showing the surface water attenuation calculations for proposed development.

The reports shall show the site area in m2 or Hectares. Show the areas in m2 of different surface

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types such as permeable paving, green roofs, buildings, hardstanding, and grass areas. The report shall show how much surface water attenuation is required and how much is provided in m3.

1.2 Submit a drawing showing the different surface SuDS types and show what surface water attenuation is provided in m3.

1.3 Show in a report and drawing what the maximum surface water discharge rate will be from the overall site. The report shall demonstrate that the discharge rate will not be more than 2 litres/sec/hectare or greenfield run off rate whichever is greater from the entire site.

The report from Water Services is noted. As also raised by the Public Realm Section, every effort should be made to providing above ground SUDS with underground attenuation as a last resort, in line with Council policy. It is considered that this can be addressed by way of **condition**. It is therefore considered that this item has been addressed subject to appropriate conditions.

Item 10 Requested

There is no flood risk assessment submitted for the proposed development. The applicant is requested to submit a site-specific flood risk assessment report for the development in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report shall outline the location of the proposed development in relation to any adjacent known flood plains and shall outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands. Finished floor levels shall be above the closest known 1 in 100 year river flood level data point with appropriate freeboard.

Assessment:

A Site Specific Flood Risk Assessment has been submitted. Water Services have reviewed the additional information submitted and have no objection subject to conditions in relation to flood risk. This includes a condition that requires that the finished floor levels to be above the closest known 1 in 100 year river flood level data point with appropriate freeboard. This report is noted and should be conditioned in the event of a grant of permission. It is therefore considered that this item has been satisfactorily addressed.

Item 11 Requested

If necessary, the AA Screening and Natura Impact Statement should be reviewed in light of any revisions to the proposed development as part of additional information.

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Assessment:

No significant revisions to the proposed development have been made. The applicant therefore states that a review of AA Screening and the Natura Impact Assessment is not required. Having regard to:

- the scale and nature of the development, and
- the location of the development in a serviced area,

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

It is therefore considered that this item has been satisfactorily addressed.

Other

Irish Water have reviewed the additional information submitted and have no objection subject to conditions relating to condition agreements. This is noted and should be conditioned.

A Certificate of Exemption from Part V was granted for the development in October 2020. Therefore a Part V condition should not be attached in the event of a grant of permission.

Development Contributions

House No. 1 House Type B1 – 122sq.m
House No. 2 House Type B2 – 143sq.m
House No. 3 House Type A – 145sq.m
House No. 4 House Type A – 145sq.m
House No. 5 House Type A – 145sq.m
House No. 6 House Type A – 145sq.m
House No. 7 House Type C – 119sq.m
House No. 8 House Type C – 119sq.m
Total = 1,083sq.m

SEA monitoring

Building Use Type Proposed: Residential
Floor Area: 1,083sq.m
Land Type: Brownfield/Urban Consolidation.
Site Area: 0.226 Hectares.

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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, 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.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application as amended by Further Information received on the 6th of May 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. Materials and Finishes

Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority a schedule of materials for the development.

REASON: In order to ensure the delivery of a high quality development and in the interest of the proper planning and sustainable development of the area.

3. Boundary Wall

(a) Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority, following consultation with SDCC's Architectural Conservation Officer, a safety statement detailing how the existing boundary wall with the 19th century burial site will be protected and safeguarded during the proposed development. Conservation repairs should be carried out using traditional methods and materials and a full schedule of works for repairs including a methodology and specification.

(b) Any further works, additional to what is permitted under this permission, to the existing boundary wall with the 19th century burial site will require planning permission.

REASON: To ensure the appropriate protection of the existing boundary wall with the 19th century burial site.

4. Archaeology.

(a) The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.

(c) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

5. Roads

(a) Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority, following consultation with SDCC's Roads Department if required, a drawing showing the details of how the footpath will continue past the existing ESB substation. There shall be a smoothed inflection in the footpath's alignment.

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(b) The boundary walls at both 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.

(c) The vehicular accesses shall be limited to a width of maximum 3.5m wide.

(d) 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.

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

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

6. 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.

7. Surface Water

Prior to the commencement of development the applicant/developer shall submit the following for the written agreement of the Planning Authority, following consultation with SDCC's Water Services if required:

(a) A report showing the surface water attenuation calculations for proposed development. The report shall show the site area in m² or Hectares. Show the areas in m² of different surface types such as permeable paving, green roofs, buildings, hardstanding, and grass areas. The report shall show how much surface water attenuation is required and how much is provided in m³.

(b) A drawing showing the different surface SuDS types and show what surface water attenuation is provided in m³.

(c) Show in a report and drawing what the maximum surface water discharge rate will be from the overall site. The report shall demonstrate that the discharge rate will not be more than 2 litres/sec/hectare or greenfield run off rate whichever is greater from the entire site.

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

8. Flood & Drainage

(a) Finished floor levels shall be above the closest known 1 in 100 year river flood level data point with appropriate freeboard.

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

(c) 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.

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

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

9. Landscape Plans

No development shall commence on site until a revised site landscape plan has been submitted to and has been agreed with the Planning Authority. The Landscape Plan shall be undertaken by a qualified and experienced landscape architect and address the following matters:

(a) No trees are to be felled on site until a rationale for the felling which clearly distinguishes between the condition of the trees and the impact of the proposed development has been proposed and agreed with the Planning Authority. The impact of the proposed development on the existing trees contained within the development site is not acceptable to the Public Realm Section; and would contravene policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 and other GI policies and objectives in the CDP. The current proposal will have a negative impact on existing trees within the development site area. The proposed development will require the removal of 58 no. trees, three groups of trees and the part removal of two groups of trees. Response should include a revised layout to significantly reduce the impact of the proposed development on the existing mature trees, especially those trees located along the western boundary which are proposed to be removed.

(b) Details of Soft Landscape Design to include a detailed Planting Plan and Planting Schedule - as appropriate - stating species/varieties, indicative quantities, sizes, rootball presentation and spacings. Planting mixes should specify a diverse range of species/varieties/cultivars and a diversity of forms and plant sizes (multi-stems, feathered, semi-matures, etc.); using both native and exotic species and pollinator-friendly native species (in accordance with the All-Ireland Pollinator Plan 2015-2020), all designed to provide vegetation that is visually-appealing, bio-diverse, and easily managed.

(c) A full set of plans and details of Hard Landscape Design for boundary treatments, seating, kerbs, edges, surfaces, lighting, and showing how the proposal will be coordinated with services & civil engineering elements.

(d) Details of a Landscape Management and Maintenance Plan of both communal residential and publicly accessible areas to be implemented during operation of the development. All planting shall be adequately protected from damage until established and maintained thereafter. Any plants which die, are removed or become seriously damaged or diseased in the first 5 years of planting, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

(e) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-

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planting maintenance works shall be carried out in accordance with the requirements of BS: 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

(f) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations'

REASON: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a reasonable standard of landscape.

10. SUDS

Prior to the commencement of development a comprehensive SUDS Management Plan shall be submitted to the Planning Authority for written agreement to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation.

Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.
- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development including drainage/attenuation calculations for same.
- Additional Natural SUDS measures should be provided in order to reduce the requirement for underground attenuation tanks in line with the development plan objectives.
- A maintenance schedule for the proposed SUDS scheme.

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.

11. Arboricultural Method Statement

Prior to the commencement of development the applicant shall submit a detailed Arboricultural Method Statement (AMS) to the Planning Authority for written agreement. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

REASON: To ensure that the trees on site are adequately protected, to safeguard the

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character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

12. Tree and Hedgerow Protection Measures

Prior to the commencement of development, the applicant/developer shall submit a tree protection plan for the written agreement of the Planning Authority, following consultation with SDCC's Public Realm Section if required. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- (a) The location of the trees to be retained and their root protection areas and canopy spreads (as defined in BS 5837: 2012 Trees in relation to design, demolition and construction);
- (b) The position and construction of protective fencing around the retained trees (to be in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction).
- (c) The extent and type of ground protection, and any additional measures required to safeguard vulnerable trees and their root protection areas.
- (d) An arboricultural impact assessment which evaluates the direct and indirect impacts of the proposed development on the trees to be retained and proposed mitigation.
- (e) An arboricultural method statement to demonstrate that operations can be carried out with minimal risk of adverse impact on trees to be retained.
- (f) A method statement for any works proposed within the root protection areas of the trees shown to be retained.
- (g) A meeting with the Project Landscape Architect, Site Foremen, the appointed Arborist and a Parks Superintendent from the Public Realm Section shall take place on-site to inspect that:
 - i. all tree pruning & tree felling has been carried out appropriately and
 - ii. that the protective fencing has been erected prior as per the submitted Tree Protection Plan This fencing is to remain in place for the duration of the project.

The approved tree protection measures shall be retained in situ until the development has been completed.

REASON: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

13. Tree Bond and Arboricultural Agreement

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €59,865.60 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.

The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately

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adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. 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 hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

14. Landscape Management and Maintenance

Prior to the commencement of development a Landscape and SUDS Management Plan which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted for written agreement of the Planning Authority. The development shall be carried out in accordance with the approved Landscape and SUDS Management Plan.

REASON: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.

15. Ecological Impact Assessment

The proposed recommendations and mitigation measures contained within the submitted Ecological Impact Assessment prepared by Forest, Environmental Research and Services Ltd shall be implemented in full.

REASON: To ensure the protection of the natural Heritage of the site in accordance with policies IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

16. Taking in Charge

(a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

(b) A map delineating those areas to be taken in charge by the Local Authority and details of the legally constituted management company contract, and drawings/particulars describing the parts of the development for which the legally-constituted management company would have responsibility shall be submitted to, and agreed in writing with, the Planning Authority before any of the residential units are made available for occupation.

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The management scheme shall provide adequate measures for the future maintenance of public open spaces, roads and communal areas.

REASON: To provide for the satisfactory future maintenance of this development in the interest of residential amenity

17. Bird and Bat Boxes

Prior to the occupation of the buildings a scheme to provide bird boxes and bat boxes/tubes on the site shall be submitted to and approved in writing by the Planning Authority. The agreed scheme shall be implemented before the buildings are occupied and thereafter maintained.

REASON: To encourage wildlife on the site.

18. 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.

19. 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

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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.

20. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €113,162.67 (one hundred and thirteen thousand one hundred and sixty two euros and sixty 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 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.

21. Pursuant to this decision, no development shall be commenced until security for the provision, satisfactory completion and maintenance, to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), of roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development, has been given by:
- (A) Lodgement of a cash deposit of €55,952.00 (fifty five thousand nine hundred and fifty two euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if

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roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or

(B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of €64,344.00 (sixty four thousand three hundred and forty four euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Council's Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development.

REASON: To ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

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

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD21A/0246

LOCATION: Palmyra, Whitechurch Road, Rathfarnham, 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: _____

2/6/22



Eoin Burke, Senior Planner