

Comhairle Chontae Atha Cliath Theas

PR/0834/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0199 **Application Date:** 10-May-2022
Submission Type: New Application **Registration Date:** 10-May-2022
Correspondence Name and Address: Neil Reddick 36, Muckcross Avenue, Dublin 12
Proposed Development: Widening of the existing pedestrian access to create a vehicular access/driveway in front of the dwelling; modifications to existing front boundary wall; vehicular access over existing verge with kerb dishing to footpath and all associated site works
Location: 36, Muckcross Avenue, Dublin 12
Applicant Name: Neil Reddick and Deborah Kemp
Application Type: Permission

(SW)

Description of Site and Surroundings:

Site Description:

The site is a mid-terrace residential property, located within an established residential area.

Site Area: Stated as 0.0272 Hectares.

Proposal:

Permission is sought for:

- Widening of the existing pedestrian access to create a vehicular access/driveway in front of the dwelling; modifications to existing front boundary wall; vehicular access over existing verge with kerb dishing to footpath and all associated site works

Zoning:

The subject site is subject to land-use zoning objective 'RES' - 'To protect and/or improve Residential Amenity'.

Consultations:

Surface Water Drainage: No report received at time of writing.

Irish Water: No report received at time of writing.

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Roads: No objections, subject to conditions.

Strategic Environmental Assessment: Indicates no overlap with relevant environmental layers.

Submissions/Observations /Representations

None received.

Relevant Planning History

None.

Relevant Enforcement History

None recorded for subject site

Pre-Planning Consultation

None recorded for subject site

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

Section 2.4.1 Residential Extension

Policy H18 Residential Extension

Objective 1

“To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).”

Section 11.3.3 (i) Extensions

Section 11.8.0 Environmental Assessment

Policy 7 Car Parking

It is the policy of Council to take a balanced approach to the provision of car parking with the aim of meeting the needs of businesses and communities whilst promoting a transition towards more sustainable forms of transportation.

Objective 3:

“To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape.”

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South Dublin County Council House Extension Design Guide, 2010

The House Extension design guide contains the following guidance on house extensions, which is taken to include modifications to the driveway and entrance:

- *Respect the appearance and character of the area;*

4.7.2 Parking

“Particular care should be taken to ensure that car-parking areas are located, detailed and landscaped in a way that does not detract from the visual quality of the scheme.”

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Regional Spatial and Economic Strategy, Eastern & Midlands Regional Assembly, 2019.

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).

Assessment

The main issues to consider are:

- Zoning and Council policy;
- Design, visual impact and residential amenity;
- Roads and safety;
- Services and Drainage;
- Screening for Appropriate Assessment; and
- Screening for Environmental Impact Assessment.

Zoning and Council Policy

Subject to conditions, the proposed development is consistent in principle with zoning objective 'RES'. An alteration to an access is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan regarding Residential Extensions, and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010.

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Design, Visual Impact and Residential Amenity

Widened Access

Planning permission is sought for a driveway entrance to be widened to 2.86m. This width is considered acceptable and in compliance with Council Policy. The dropped kerb would be 3.6m wide. A pillar would be provided each side of the access, the style of which matches the existing pillar. The loss of grass verge has been minimised by ensuring the proposed dropped kerb meets the existing path to the east. The existing tree in the grass verge would be retained. It is considered that the impact of the proposal on visual and residential amenity is acceptable.

Roads and Safety

The Roads Department has no objections, subject conditions as follows:

1. *“The vehicular access points shall be limited to a width of 3.5 meters.*
2. *The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
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.*
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”.*

It is noted that the proposed pillars would not be greater than 1.2m height and would only be 1.05m. The access would be less than 3.5m and the wall would be less than 0.9m, at 0.65m. Therefore it is considered these conditions are not necessary instance. The other conditions shall be added in the event of grant.

Services and Drainage

The Water Services Section and Irish Water have not provided comments in this instance. It is noted that the proposed development could create hardstanding and no buildings would be added. Standard conditions are recommended in the event of grant.

Other Matters

It is noted that drawing 01 is stated at being 1:200, however, it is apparent that it scales to 1:50. As the dimensions and proposed changes are annotated on the submitted drawing it is not, in this instance, considered necessary to request a revised drawing to address this issue.

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Screening for Appropriate Assessment

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

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.

Other Considerations

Developer Contributions

Widened entrance – nil.

No previous extensions.

Assessable area nil.

SEA Monitoring

Building Use Type Proposed Residential – driveway

Floor Area (sq.m) 0

Land Type Brownfield/Urban Consolidation

Site Area (Ha.) 0.0272

Conclusion

In conclusion, subject to conditions, it is considered that the proposed driveway would, subject to the alterations and other conditions attached herewith, accord with the 'RES' land-use zoning, would not seriously injure the amenities of the area, and would accord with the South Dublin County Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.

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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 in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Roads.
 - a. The 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.
 - b. Any gates shall open inwards and not out over the public domain.
REASON: In the interests of highway safety.
3. Drainage - Surface Water.
All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.
REASON: In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

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: Waste, arising from the site, must be kept to a minimum, segregated where

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appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

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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LOCATION: 36, Muckross Avenue, Dublin 12

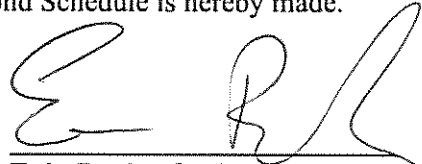
Colm Harte

**Colm Harte,
Senior Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date:

4/7/22


Eoin Burke, Senior Planner