

Comhairle Chontae Atha Cliath Theas

PR/0883/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0145 **Application Date:** 19-May-2022
Submission Type: New Application **Registration Date:** 19-May-2022

Correspondence Name and Address: Simon Clear and Associates 3, Terenure Road West, Terenure, Dublin 6W

Proposed Development: The development will consist of modifications to planning permission granted under SD20A/0306 as follows; Relocation of vehicular access from existing access road to the South to Whitehall Road West. Revised car parking layout providing 5 undercroft car parking spaces accessed directly from Whitehall Road West (no change to number of permitted parking spaces). Reconfiguration of ground floor level including omission of 1 one bed apartment to facilitate revised car parking layout (reduction from 14 units permitted to 13 units). Minor modifications to apartments on 1st, 2nd and 3rd floor level with associated changes to elevations. All associated site development works and services.

Location: 21 Whitehall Road West, Dublin 12.

Applicant Name: Carl Properties Limited

Application Type: Permission

Description of Site and Surroundings:

Site Area:

Stated as 0.0686ha

Site Description:

The subject site comprises a former car services business with associated parking spaces. The site is located off Whitehall Road West, south of the Ashleaf Shopping Centre, and directly north of an area of public open space. The Layola apartment building is to the north of the site, the Wellington Court apartment building is to the west, with residential terraced properties located opposite the site. The site has a prominent position between the existing residential areas, open space, and the nearby shopping centre. It is located to the south of the Whitehall Road West and Roebuck Road junction. The site is relatively flat with a gentle slope of approximately 0.5m from 50m at the front (east) to 50.5m at the rear (west).

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Proposal:

The proposed development is comprised of the following modifications to the development previously permitted under SD20A/0306:

- Relocation of the vehicular access from the existing access road to the south to Whitehall Road West.
- Revisions to the car parking layout resulting in the provision of 5 No. undercroft spaces accessed directly from Whitehall Road West. There is no change to the overall quantum of car parking.
- Reconfiguration of the ground floor level resulting in the omission of 1 No. one bed apartment to facilitate revisions to the car parking layout.
- Modifications to the apartments at first, second and third floor level with associated elevational changes.
- All ancillary works above and below ground.

Zoning:

The subject site is subject to zoning objective RES - *'To protect and / or improve Residential Amenity'* in the South Dublin County Development plan 2016-2022.

SEA Sensitivity:

No overlap identified with relevant environmental layers.

Consultations:

Drainage and Water Services Department - No objection, subject to conditions.

Irish Water - No objection, subject to conditions.

Roads Department - Additional Information required.

Transport Infrastructure Ireland – No objection.

Parks and Public Realm Department - No objection, subject to conditions.

HSE Environmental Health Officer - No objection, subject to conditions.

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Submissions/Observations /Representations

Final date for submissions/observations – 22nd June 2022.

No third party submissions received.

An observation was received from Transport Infrastructure Ireland stating that they have no observations to make.

Relevant Planning History

Subject Site

SD20A/0306 (Parent Permission)

Proposal: Demolition of all existing buildings, structures and yards on site; Construction of a part-3 storey and part-4 storey apartment building to accommodate 15 apartments, comprising 11 1-bed and 4 2-bed units with associated terraces; Pedestrian access from Whitehall Road West and vehicular pedestrian access from the existing access roadway to the south; Vehicle parking, landscaping, roof garden, bicycle parking, refuse storage, boundary treatments and all associated site development works and services. **SDCC Decision:** Grant Permission, subject to conditions.

Owing to the conditions attached to SD20A/0306 the total number of apartments permitted on the subject site is 14 No. units. The subject scheme of this Planning Application seeks to amend the development permitted under SD20A/0306, resulting in the provision of a new vehicular access, the reconfiguration of the car parking layout, the omission of 1 No. unit and minor modifications to units at first, second and third floor level.

Adjacent Sites

SD16A/0167: 66, Whitehall Road West, Dublin 12

Proposal: Detached two storey dwelling on a new site at rear of the existing house and ancillary siteworks including a new drive-in from Whitehall Road and off street parking for the new and existing houses. **SDCC Decision:** Refuse Permission

SD07B/0167: 1, Roebuck Drive, Dublin 12

Proposal: Granny flat and rear extension to house. The development consists of a single storey granny flat with a pitched roof to the side of existing house. The extension at rear consists of a first floor extension on top of existing single storey extension with hipped pitched roof. **SDCC Decision:** Grant Permission, subject to conditions.

S00B/0024: 68 Whitehall Road West, Perrystown, Dublin 12.

Proposal: New driveway to front. **SDCC Decision:** Grant Permission, subject to conditions.

Relevant Enforcement History

None recorded.

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Pre-Planning Consultation

None recorded for this Planning Application.

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

Policy H6 Sustainable Communities

It is the policy of the Council to support the development of sustainable communities and to ensure that new housing development is carried out in accordance with Government policy in relation to the development of housing and residential communities.

Policy H7 Urban Design in Residential Developments

It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

Policy H8 Residential Densities

It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.

Policy H9 Residential Building Heights

It is the policy of the Council to support varied building heights across residential and mixed use areas in South Dublin County.

Policy H10 Mix of Dwelling Types

It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.

Section 2.3.0 Quality of Residential Development

Policy H11 Residential Design and Layout

It is the policy of the Council to promote a high quality of design and layout in new residential development and to ensure a high quality living environment for residents, in terms of the standard of individual dwelling units and the overall layout and appearance of the development.

Policy H12 Public Open Space

It is the policy of the Council to ensure that all residential development is served by a clear hierarchy and network of high quality public open spaces that provides for active and passive recreation and enhances the visual character, identity and amenity of the area.

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Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Policy H17 – Residential Consolidation

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1: To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

H17 Objective 2: To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

Section 3.13.0 Open Space Management & Use

Policy C12 Open Space

It is the policy of the Council that a hierarchical network of high-quality open space is available to those who live, work and visit the County, providing for both passive and active recreation, and that the resource offered by public open spaces, parks and playing fields is maximised through effective management.

Policy UC6 Building Heights

It is the policy of the Council to support varied building heights across town, district, village and local centres and regeneration areas in South Dublin County.

Section 6.3.0 Walking and Cycling

Policy TM3 Walking and Cycling

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Section 6.4.3 Road and Street Design

Policy H12

It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 10.0 Energy

Policy E4 Energy Performance in New Buildings

Section 11.2.0 Place Making and Urban Design

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Section 11.2.1 Design Statements

Section 11.2.2 Masterplans

Table 11.17: Masterplan Considerations

Section 11.2.7 Building Height

Section 11.3.1 Residential

- (i) Mix of Dwelling Types*
- (i) Residential Density*
- (ii) Public Open Space/Children's Play*
- (iii) Dwelling Standards*
- (iv) Privacy*
- (v) Dual Aspect*
- (vi) Access Cores and Communal Areas*
- (vii) Clothes Drying Facilities*

Table 11.21: Minimum Space Standards for Apartments

Section 11.3.2 Residential Consolidation

Section 11.3.2 (i) Infill Sites

Development on Infill sites should meet the following criteria:

- *Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.*
- *A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.*
- *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.*
- *Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).*

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

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Section 11.4.3 Car Parking for Electric Vehicles
Section 11.4.4 Car Parking Design and Layout
Section 11.4.5 Traffic and Transport Assessments

Section 11.6.1 (i) Flood Risk Assessment
Section 11.6.1 (ii) Surface Water
Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)
Section 11.6.1 (iv) Groundwater
Section 11.6.1 (v) Rainwater Harvesting
Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings
Section 11.8.1 Environmental Impact Assessment
Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

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

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

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).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG (2009).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

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Assessment

The main areas for assessment are as follows:

- Zoning and Council Policy
- Visual Impact and Residential Amenity
- Vehicular Access and Parking
- Drainage and Water Services
- Parks and Public Realm
- Environmental Health
- Part V
- Screening for Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council policy

The application site is located within lands that are subject to zoning objective RES - *'To protect and/or improve Residential Amenity'* in the South Dublin County Development Plan 2016-2022.

Residential development is permitted in principle within the 'RES' zone, subject to its being in accordance with the relevant provisions in the Development Plan.

Visual Impact and Residential Amenity

Each element of the proposed development shall be assessed below in terms of the potential impact on the visual and residential amenity of the permitted development (SD20A/0306), adjoining properties and the surrounding streetscape.

Vehicular Access onto Whitehall Road West

A new vehicular access/egress is proposed in the south-eastern corner of the subject site onto Whitehall Road West. It is also proposed that the vehicular entrance previously approved under SD20A/0306 will be omitted and replaced by an area of soft landscaping and tree planting along the south-western boundary of the subject site.

The proposed new vehicular access point is approximately 4.8m in width and recessed approximately 3m back from the footpath edge along Whitehall Road West, with tactile paving proposed either side of the entrance along the public footpath. Modifications to the landscape design are required to facilitate the proposed new vehicular access point. These include, but are not limited to, the removal of 1 No. proposed tree on the eastern boundary and the removal of 1 No. proposed tree and a strip of grass adjacent to the eastern elevation of the building. It is noted that these modifications will be offset by the planting of trees and a soft landscape strip along the south-eastern boundary of the subject site where the original vehicular access point was located.

It is considered that the proposed vehicular access point will not adversely impact the visual and residential amenity of the subject site, adjoining properties or adjacent streetscape. However, the

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Roads Department have assessed the proposed new vehicular access point and have indicated that ADDITIONAL INFORMATION is required regarding the visibility splay, this is outlined further in the forthcoming section entitled *Vehicular Access and Parking*.

It is noted that the submitted Proposed Site Layout Plan has the incorrect orientation/north point. A revised plan should be submitted via CONDITION.

Reconfiguration of Car Parking Layout

It is proposed that the 5 No. car parking spaces for the apartment units will be re-located to the eastern side of the building, in an undercroft area. The overall quantum of car parking remains the same, with 5 No. spaces serving the 13 No. apartments.

The Applicant has provided swept path analysis drawings showing a medium sized car entering and exiting each of the 5 No. car parking spaces.

Overall, the proposed reconfiguration of the car parking layout is considered acceptable in principle and will not have an adverse impact on the visual and residential amenity of the subject site, adjoining properties or adjacent streetscape.

Omission of 1 No. unit and amendments to Ground Floor Layout

To facilitate the proposed reconfiguration of the car parking layout, it is proposed that the previously permitted Ground Floor layout will be amended resulting in the omission of 1 No. one bedroom apartment.

The omission of 1 No. unit and the associated amendments to the ground floor layout is considered acceptable to the Planning Authority and will not adversely impact the visual and residential amenity of the subject site, adjoining properties or adjacent streetscape.

Minor Modifications to Upper Floor Units

The proposed development includes the following amendments to the layout of the upper floor levels:

First Floor

The proposed first floor level is comprised of 2 No. one bedroom apartments (50 sq m each) and 2 No. two bedroom apartments (76 sq. .m and 82 sq. m).

Second Floor

The proposed second floor level is comprised of 2 No. one bedroom apartments (50 sq m each) and 2 No. two bedroom apartments (76 sq. .m and 82 sq. m).

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Third Floor

The proposed third floor level is comprised of 3 No. one bedroom apartments (1 No. 50 sq. m and 2 No. 54 sq. m).

The communal amenity space has increased slightly from the permitted 92 sq m to the proposed 93 sq m.

All Levels

The stair and lift core remains the same as that which was permitted under SD20A/0306, with a slight reduction in the lobby area and amendment to the length of the internal access corridor at each level to accommodate the reconfiguration of the apartment floor areas.

Standard of Accommodation

It is noted that the floor areas of the remaining 13 No. units meet and exceed the minimum standards set out in the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020). Of the 13 No. units, 11 No. are dual aspect, and 10 No. units are at least 10% above the minimum floor area requirements. The proposed development therefore complies with the Apartment Guidelines.

The 2 No. reconfigured apartments at the ground floor would both be dual aspect and south-west and -east facing. This is considered to be an improvement to the previously permitted scheme.

Furthermore, the building footprint remains largely the same as the building permitted under SD20A/0306. Separation distances to adjacent buildings remain the same.

Associated Elevational Amendments

The proposed development includes the following elevational amendments according to the drawings provided by the Applicant:

Front Elevation

- A ground floor level window in the centre of the elevation is now proposed as a door providing access to the bicycle parking area.
- An external terrace and associated fenestration at ground floor level in the south eastern corner of the ground floor level is proposed to be replaced by the vehicular access to the undercroft car parking.
- The Proposed Front (East) Elevation Drawing (Dwg No. PL-200) appears to continue to show an access door and glazing (similar to those on the external terraces above) which seems to be adjacent to 'Car Park Space 5'. It is preferable that this is corrected and that

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this portion of the elevation be subject to a more appropriate materiality such as brick to the match the façade or painted hardwood cladding to match the adjacent doors to the car park access.

This discrepancy is considered minor and can be clarified by way of a CONDITION requiring plan, elevational and sectional drawings to be provided before the commencement of development on site which demonstrate an appropriate material treatment in this location.

Rear Elevation

- At Ground Floor level the previously permitted external terrace to Apartment No. 1 and the 2 No. windows associated with Apartment No. 2 have been omitted and replaced with an opening of approximately 6.9m and a 1.8m wide painted hardwood doors associated with the proposed reconfigured car parking layout.
- As a result of the reconfigured internal layout at first and second floor level, the previously permitted 4 No. windows with a 1.3m width have been replaced by 3 No. proposed 1.8m wide windows.
- The painted nap render finish at ground floor level and opaque glazed screen at first and second floor level have been narrowed from the permitted 1.6m width to the proposed 0.9m in width.

Side (South) Elevation

- The access doors to the car parking spaces permitted under SD20A/0306 have been omitted and replaced in the proposed development of this planning application by a ground floor level external terrace and associated glazing for the reconfigured Apartment No. 2 and 2 No. ground floor level windows associated with the reconfigured Apartment No. 1.

Side (North) Elevation

- A high-level window is proposed in the centre of the side (northern) elevation to the kitchen/living/dining area of Apartment No. 13.

No change is proposed the overall height of the building previously permitted under SD20A/0306.

Having regard to the minor nature and scale of the proposed elevational amendments, it is considered that they would not significantly alter the overall appearance and architectural design intention of the building and therefore would not have an adverse effect on the visual and residential amenity of the subject site, adjoining properties or adjacent streetscape.

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Vehicular Access and Parking

A Report received from the Roads Department indicates that the following ADDITIONAL INFORMATION is required:

'The applicant/developer is requested to submit accurate plans demonstrating the provision of a visibility splay of 2.4m x 50m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right hand side of entrance and to the centreline of the road to the left hand side of the entrance (when exiting).'

The Planning Authority is satisfied that, having regard to the receiving context of Whitehall Road West it is considered that the appropriate visibility splay should be achievable from the proposed vehicular access and therefore the additional information requested by the Roads Department can be obtained by way of a CONDITION requiring a Compliance Submission to be agreed in writing prior to the commencement of development.

Drainage and Water Services

The Drainage and Water Services Department and Irish Water have assessed the proposed development with their Reports indicating no objection to the proposed development, subject to CONDITIONS. The recommended conditions are similar to what was conditioned under SD20A/0306. A condition should be included stating that the conditions under SD20A/0306 shall apply, save as may be required by other conditions attached to the subject application.

Parks and Public Realm

The Report of the Parks and Public Realm Department has indicated no objection to the proposed development, subject to CONDITIONS. This includes a revised landscape plan showing the changes.

Environmental Health

The H.S.E. Environmental Health Officer provided a report on the proposed amendments stating that they find them to be acceptable subject to CONDITIONS relating to construction noise and air quality.

Part V

A Section 97 Certificate of Exemption was previously granted under CE21/0009. As the proposed development of this Planning Application will result in the reduction of the overall quantum of units, it is considered that the certificate of exemption previously granted remains valid.

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Screening for Appropriate Assessment

The applicant provided a Screening Statement for Appropriate Assessment with the parent application (SD20A/0306). Having regard to the information outlined in the Appropriate Assessment, the nature of the development proposed (amendments to a previously permitted residential development) and that the subject site is not located within nor within close proximity to a European site, it is considered that owing to:

- the established nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

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.

Environmental Impact Assessment

Having regard to the nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real 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

Development Contributions

Unit No.	Unit Area sq. m
1	50
2	76
3	50
4	76
5	82
6	50
7	50
8	76
9	82
10	50
11	50
12	53
13	54
TOTAL:	799 sq. m

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SEA Monitoring Information

- *Building Use Type Proposed-* Residential
- *New Floor Area (sq.m) of building-* 1,115sq.m
- *New Floor Area (sq.m) of apartments-* 799sq.m
- *Floor Area of demolition-* 275sq.m
- *Land Type-* Brownfield
- *Site Area (Ha.)-* 0.0686ha

Conclusion

Having regard to the 'RES' zoning objective of the site, to the scale and nature of the proposal (amendments to a previously permitted residential development), and the relevant policies and objectives in the South Dublin County Development Plan 2016-2022, it is considered that the development may be considered acceptable in principle and subject to conditions would accord 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, 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. Previous Permission
All conditions attached to the planning permission granted under Reg. Ref. SD20A/0306

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to which this application will have the effect of creating modifications to, shall apply, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the previous permission.

3. Drawing Discrepancies

Prior to the commencement of development, the Applicant/Developer shall submit for the written agreement of the Planning Authority amended plan, sectional and elevational drawings which correct the following discrepancies:

(i) The Proposed Front (East) Elevation Drawing (Dwg No. PL-200) appears to continue to show an access door and glazing (similar to those on the external terraces above) which seems to be adjacent to 'Car Park Space 5'. It is preferable that this corrected and that this portion of the elevation be subject to a more appropriate materiality such as brick to the match the façade or painted hardwood cladding to match the adjacent doors to the car park access.

(ii) Correct orientation/north point on the Proposed Site Layout Plan.

REASON: In the interests of proper planning and sustainable development.

4. Vehicular Access and Parking

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 needed, accurate plans demonstrating:

(i) The provision of a visibility splay of 2.4m x 50m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right hand side of entrance and to the centreline of the road to the left hand side of the entrance (when exiting).

(ii) The vehicular access point shall be limited to a width of 3.5 metres unless otherwise agreed with the Planning Authority.

REASON: In the interests of pedestrian and traffic safety.

5. Landscape & Sustainable Urban Drainage

(i) The Applicant/Developer shall submit for the written agreement of the Planning Authority a revised landscape masterplan which takes account of the proposed changes to the previously granted permission (SD20A/0306). This revised landscape masterplan once agreed shall be implemented in full within the first planting season following completion of the development (completion of construction works on site). The Revised Landscape Masterplan shall demonstrate that:

a) All hard and soft landscape works shall be completed in full accordance with the approved landscape plans.

b) 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

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surfaces).

c) 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'

d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

(ii) The Applicant/Developer shall submit for the written agreement of the Planning Authority cross section details of the tree pits and growing mediums. The tree pits shall include storm water attenuation (sustainable urban drainage system) within the tree pits and clearly outline how this will function. The Applicant/Developer shall provide large trees a minimum of 18 to 20 centimeter girth.

(iii) The Applicant/Developer shall submit a fully detailed Planting Plan for the entire development. The planting plan should provide the following information:

a. Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate

b. Implementation timetables.

c. Detailed proposals for the future maintenance/management of all landscaped areas

d. The planting stock should be sourced from a reputable supplier and be of Irish origin/provenance.

(iv) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement. A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals. If attenuation tree pits are proposed, their installation shall be supervised by the project landscape architect.

(v) A comprehensive SUDS Management Plan shall be submitted and agreed in writing with the Planning Authority to demonstrate the inclusion of natural SUDS features into the proposed drainage system. The SUDS shall be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022. The SUDS Management Plan shall 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. In addition, the applicant shall provide the following:

- The applicant shall show further proposed SuDS features for the development such as Green roofs, grass areas, tree pits, channel rills, swales, permeable paving and other such

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SuDS and show what attenuation capacity is provided by such SuDS

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
- The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

REASON: In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design, to ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022 and 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.

6. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

7. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect

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of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €83,487.51 (eighty three thousand four hundred and eighty seven euros and fifty one 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.

9. 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 €64,597.00 (sixty four thousand five hundred and

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ninety seven 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 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 €74,295.00 (seventy four thousand two hundred and ninety five 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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

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: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary

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conveniences. The minimum requirements should be as per Part M of the Building Regulations.

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. SD22A/0145

LOCATION: 21 Whitehall Road West, Dublin 12.



Caitlin O'Shea,
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: 13/7/22



Eoin Burke, Senior Planner