

Comhairle Chontae Atha Cliath Theas

PR/1035/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0282 **Application Date:** 20-Jun-2022
Submission Type: New Application **Registration Date:** 20-Jun-2022
Correspondence Name and Address: Colm Cosgrove 32, St. Enda's Park, Rathfarnham, Dublin 14
Proposed Development: Widening of vehicular access from public road.
Location: 32, St. Enda's Park, Rathfarnham, Dublin 14
Applicant Name: Colm Cosgrove & Brid Reason
Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Area: as stated 0.0623Hectares.

Site Description:

The application site is located southeast of St Enda's Park, a crescent of residential dwellings of similar character and form with a uniform building line. The subject property is a two-storey, semi-detached dwelling with a pitched roof. The property has a shared driveway with the adjoining residence to the north at No. 30 St Enda's Park. It is noted that a sizeable mature Cherry Tree sits directly outside the subject property on the grass verge.

Proposal:

- Widening of vehicular access from public road.

Zoning:

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

Consultations:

Roads –	Refuse Permission.
Surface Water Drainage –	No report received.
SEA Sensitivity Screening –	No overlap indicated.

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Submissions/Observations /Representations

A number of submissions and representations were submitted from neighbouring third parties. The main issues raised are summarised below:

- Resident's concern regarding dishing the kerb at the roadside and losing part of the adjacent grass margin.
- Concerns mainly to the loss of on-street parking that will result from widening this driveway as parking is limited on this crescent.
- Concerns that sufficient access is already deemed to apply with this double car space for No. 30 and No. 32.
- Previous owners of No.32 already moved the gatepost.
- The aesthetic of the street will be impacted negatively by any interference with the Cherry Tree directly outside the subject dwelling.

- Observation was also submitted by the applicant stating that they would only increase to 4.2m, works to verge be kept to a minimum.

The issues raised in the third-party submissions have been considered in assessing this planning application.

Relevant Planning History

None for subject site.

Adjacent sites

Adjacent Sites:

SD22B/0221 - 36, St. Enda's Park, Rathfarnham, Dublin 14. Refuse Permission - Widen vehicular entrance involving relocation of western pier and widen driveway taking in part of grass margin.

Reason:

The proposed development, by virtue of the excessive width of the proposed shared vehicular entrance would compromise pedestrian safety and adversely impact on the existing street tree. Thus, the proposed development would endanger public safety by reason of traffic hazard, impinge on visual amenity, residential amenity and the biodiversity of the residential area. As such, the proposed development would not be in accordance with the residential zoning objective and the proper planning or sustainable development of the area.

SD17B/0393 - St. Enda's, Sarah Curran Avenue, Rathfarnham, Dublin 16. – **Refuse Permission** for new pedestrian gated entrance (0.9m wide) and new vehicular gated entrance (3.5m wide) adjacent to existing vehicular entrance with access onto Sarah Curran Avenue.

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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 2022- 2028

13.8.4 Car Parking Design and Layout

On-Street Parking In urban areas, car parking should be predominantly on-street with communal (i.e., undesignated) spaces for the purposes of:

- Traffic Calming: On-street parking increases driver caution by visually narrowing the vehicular carriageway and reducing forward visibility;
- Efficiency: On-street parking allows for a greater turnover of spaces and caters for visitors;
- Pedestrian Comfort: The need for vehicular crossovers and the temptation for drivers to kerb mount and block footpaths is significantly reduced;
- Streetscape: Extensive parking to the immediate front of dwellings (where landscaping could be provided) will dominate the appearance of the houses and detract from the visual qualities of the area.

On-street parking should be designed in such a manner as to promote visual amenity, green infrastructure, carbon sequestration and sustainable drainage (SuDS) by applying the following requirements:

- Provision of landscaping integrated into the design of all car parking, to include planting of native trees and pollinator-friendly species;
- Provision of not more than two parallel or five perpendicular spaces between trees/planting bays;
- Use of permeable paving, where appropriate. The layout of on-street spaces shall be designed in accordance with the Design Manual for Urban Roads and Streets and the National Cycle Manual (where provided adjacent to cycle paths/lanes).

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Widening of Driveways to Accommodate In-Curtilage Parking

Proposals to widen driveways to accommodate in-curtilage parking will be considered having regard to the following:

- A width of 3.5m between gate pillars shall not normally be exceeded. This is for reasons of pedestrian safety and visual amenity and to retain on-street parking spaces.
- Proposals to widen driveways that would result in the removal of, or damage to, a street tree will not generally be permitted and where permitted must be mitigated.
- Where a hard surface is proposed to accommodate parking in a front garden area, permeable paving shall be used, in the interest of sustainable drainage.

Green Infrastructure

- Policy GI1: Overarching Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.
- ***GI1 Objective 4:*** To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.
- ***GI2 Objective 4:*** To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: *Implementation and Monitoring* and the policies and objectives of this chapter.
- ***GI4 Objective 1:*** To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's *Sustainable Drainage Explanatory Design and Evaluation Guide, 2022*.

South Dublin County Council House Extension Design Guide (2010)

Relevant Government Guidelines

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

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

Assessment

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity
- Roads
- Services and drainage.

Zoning and Council Policy

The widening of vehicular access to a residential dwelling is consistent in principle with zoning objective 'RES', subject to compliance with the provisions of the South Dublin County Council House Extension Design Guide (2010), and the relevant detailed policies in the County Development Plan, which will be assessed below.

Residential & Visual Amenity

Widened vehicular access.

It is noted that the existing shared driveway is 3.682m wide.

The proposed development would remove part of the boundary wall and create a wider vehicular access. It is noted from the submitted plans that the width for the proposal of the vehicular entrance is 5.2m. This is considered excessive and not in keeping with Section 12.7.6 of the CDP, which requires a maximum width of 3.5m. The applicant has submitted an observation stating that that access could be reduced to 4.2m, however, this would still be in excess of the guidelines.

Having regard to the current South Dublin County Council Development Plan 2022-2028, under *Widening of Driveways to Accommodate In-Curtilage Parking* it is noted from an urban design and safety point of view, a maximum width of 3.5m is generally imposed. This is for pedestrian safety and visual amenity and to retain on-street parking spaces.

There would be a loss of on-street parking if the current proposal to widen access is implemented. The proposal would also negatively impact the sizeable mature Cherry Tree that sits directly outside the subject property on the grass verge and, therefore, has a negative impact on neighbour amenities. Proposals to widen driveways that would result in the removal

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of or damage a street tree will not generally be permitted and must be mitigated where permitted. The proposal is therefore contrary to Section 12.7.6 in this regard.

The proposed development, by virtue of the excessive width of the proposed shared vehicular entrance, would compromise street parking and adversely impact the existing street tree. Thus, the proposed development would impinge on visual amenities and residential amenities and the biodiversity of the residential area. As such, the proposed development would not be in accordance with the residential zoning objective and the proper planning or sustainable development of the area, and a refusal is recommended.

Roads

The Roads Department recommend refusal:

Roads Department considers the proposal to be an excessive width for vehicular access. The vehicular access points shall be limited to a width of 3.5 meters.

Having regard to the above recommendation of the Roads Department, the vehicular entrance is not acceptable and therefore a refusal of permission is recommended.

Services and drainage.

A report was not received by the surface water drainage department; however, the recommendations of the water services department are not required in this instant.

Green Infrastructure

The proposal would impact a street tree negatively.

In accordance with Figure A 4.1, the site is close to L11 – M50-DLR Crosslink and L14-Whitechurch Stream Link. It also overlaps with 'DLR GI Corridor 2'. One of the objectives of L11 is To implement new street planting where required within the corridor. 12.7.6 Car Parking Design and Layout states "*Proposals to widen driveways that would result in the removal of, or damage to, a street tree will not generally be permitted*".

Having regard to the impact on street trees, it is considered that the subject development has not incorporated Green Infrastructure and would have a negative impact on existing Green Infrastructure and is therefore not in accordance with Policy Objectives GI1 Objective 4, GI2 Objective 4 and Sections 12.4.2 and 12.7.6 of the South Dublin County Development Plan 2022 – 2028.

Given the lack of mitigation and the impact, it is considered planning permission should be **refused**.

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Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of the widening of vehicular access.

Having regard to:

- the small scale and domestic 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,

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.

Environmental Impact Assessment

Having regard to the modest nature of the 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.

Development Contributions

Widened Vehicular access.

Assessable area: NIL.

SEA Monitoring

Widened Vehicular access

Land Type: Brownfield/Urban Consolidation

Site Area: 0.0623Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that, the proposed development, by virtue of the excessive width of the proposed shared vehicular entrance, would compromise street parking and adversely impact the existing street tree. Thus, the proposed development would impinge on visual amenities and residential amenities and the biodiversity of the residential area. As such, the proposed development would not be in accordance with the residential zoning objective and the proper planning or sustainable development of the area and a refusal is recommended.

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Recommendation

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto: -

SCHEDULE

REASON(S)

1. The proposed development, by virtue of the excessive width of the proposed shared vehicular entrance, would compromise street parking and adversely impact the existing street tree. Thus, the proposed development would have a negative impact on the visual amenities and residential amenities of the residential area. As such, the proposed development would not be in accordance with the residential zoning objective and Section 12.7.6 of the County Development Plan (2022-2028) and therefore not in keeping with the proper planning or sustainable development of the area.
2. The proposed development would have a negative impact on a street tree and has failed to incorporate Green Infrastructure. It is therefore not in accordance with Policy Objectives GI1 Objective 4, GI2 Objective 4 and Sections 12.4.2 and 12.7.6 of the South Dublin County Development Plan 2022 - 2028. It is therefore not in keeping with the proper planning or sustainable development of the area.

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REG. REF. SD22B/0282

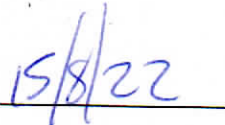
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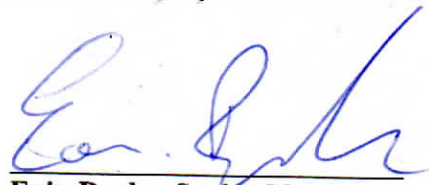


**Sarah Watson
Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

Date:





Eoin Burke, Senior Planner