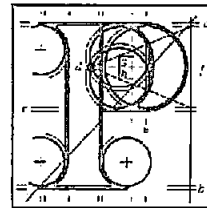


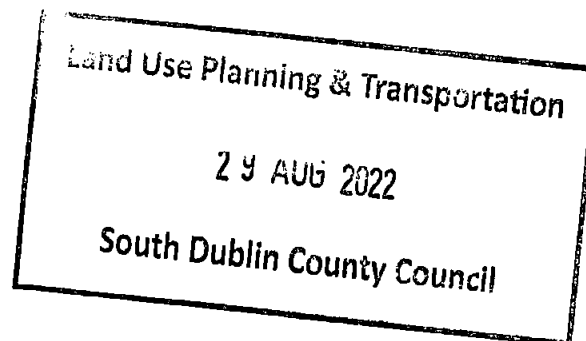
**Our Case Number:** ABP-314438-22

**Planning Authority Reference Number:** SD22A/0155



**An  
Bord  
Pleanála**

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24



**Date:** 26 August 2022

**Re:** 2 semi-detached dormer bungalows with access from Newlands Park for vehicular parking; car parking, landscaping and boundary treatments and associated site works  
13 Newlands Drive, Clondalkin, Dublin 22

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

**Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

(i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,

(ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,

(iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,

(iv) a copy of the notification of decision given to the applicant,

(v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,

(vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

Teil	Tel	(01) 858 8100
Glaao Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

- (vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,
- (viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,
- (ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,
- (x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,
- (xi) a copy of the minutes of any pre-planning meetings.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above, please supply the following:- Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development in near proximity. "History" documents should include;

- a) Certified Manager's Order,
- b) the site location, site layout maps, all plans and
- c) particulars and all internal reports.
- d) details of any extensions of time given in respect of previous decisions.

#### **Copies of I-plan sheets are not adequate.**

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

#### **Contingency Submission**

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development / Supplementary Development Contributions) including any special condition which might be appropriate

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Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
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64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

## FIRST PARTY APPEAL

### AGAINST SOUTH DUBLIN COUNTY COUNCIL DECISION TO REFUSE PLANNING PERMISSION FOR DEVELOPMENT AS DESCRIBED BELOW

**On behalf of:**

H.H.M Investments Ltd.

**By**

CDP Architecture,  
4 The Mall, Main Street, Lucan Village, County Dublin

AN BORD PLEANÁLA	
LDG-	056423-22
ABP-	
22 AUG 2022	
Fee: €	1500 Type: cheque
Time:	15.53 By: Council

**Applicant:**

H.H.M Investments Ltd.

**Site Address:**

13 Newlands Drive, Clondalkin, Dublin 22

**Full Development Description:**

*We, H.H.M INVESTMENTS LTD intend to apply for PERMISSION to South Dublin County Council for the construction of 2 No. 2-bed semi-detached dormer bungalows with access from Newlands Park for vehicular parking. All with associated site works, car parking, landscaping, and boundary treatments at the Rear of No. 13 Newlands Drive, Clondalkin, Dublin 22.*

**Planning Authority:** South Dublin County Council

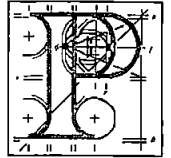
**SDCC Register Reference No.** SD22A/0155

**SDCC Decision Date:** 25<sup>th</sup> July 2022

**Last day to lodge an Appeal to ABP:** 22<sup>nd</sup> August 2022

## Planning Appeal Check List

An Bord Pleanála



(Please read notes overleaf before completing)

1. The appeal must be in writing (e.g. not made by electronic means).
  2. State the -
    - name of the appellant H.H.M. INVESTMENT LTD.  
(not care of agent)
    - address of the appellant P.O. BOX 612, MADISON BUILDING,  
(not care of agent) MIDTOWN, QUEENSWAY, GX111AA
  3. If an agent is involved, state the -
    - name of the agent CDP ARCHITECTURE
    - address of the agent 4 THE MAU MOUNTAIN STREET, UICANN  
VILLAGE, CO DUBLIN
  4. State the Subject Matter of the Appeal\*  
Brief description of the development FIRST PARTY APPEAL  
CONSTRUCTION OF 2 NOS. DWELLINGS.
    - Location of the development 13 NEWCASTLE DRIVE, CLONALWIN DUBLIN 22
    - Name of planning authority SOUTH DUBLIN COUNTY COUNCIL.
    - Planning authority register reference number SD22A/0155
- \* Alternatively, enclose a copy of the decision of the planning authority as the statement of the Subject Matter of the Appeal.
5. Attach, in full, the grounds of appeal and the reasons, considerations and arguments on which they are based.
  6. Attach the acknowledgement by the planning authority of receipt of your submission or observations to that authority in respect of the planning application, the subject of this appeal. (Not applicable where the appellant is the applicant).
  7. Enclose/Pay the correct fee for the appeal and, if requesting an oral hearing of same, the fee for that request see "Guide to Fees Payable" under heading of Making an Appeal on Home Page of this website for current fees.
  8. Ensure that the appeal is received by the Board in the **correct manner** and in **time**.

*A format similar to the above may also be used where a person is making submissions or observations on an appeal in accordance with section 130 of the Planning and Development Act 2000, as amended. Substitute 'observer' for 'appellant' and 'submission/observation' for 'appeal' at each reference. Item 6 and that part of 7 concerning an oral hearing request are not applicable to the making of submissions or observation*

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**Appendix A:** South Dublin County Council to Refuse Permission SD22A/0155

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**Appendix D:** Response from GK Consulting Engineers in relation to reasons for refusal

**Appendix E:** Revised Drawings as prepared by CDP Architecture

## 1.0 Introduction

On behalf of the Applicant, we wish to lodge this 1<sup>st</sup> Party Appeal to An Bord Pleanála appealing South Dublin County Council to refuse planning permission for the following:

*We, H.H.M INVESTMENTS LTD intend to apply for PERMISSION to South Dublin County Council for the construction of 2 No. 2-bed semi-detached dormer bungalows with access from Newlands Park for vehicular parking. All with associated site works, car parking, landscaping, and boundary treatments at the Rear of No. 13 Newlands Drive, Clondalkin, Dublin 22.*

The grounds of the appeal are set out below and a copy of a Notification to Refuse Planning Permission Register Ref. No. SD22A/0155 by South Dublin County Council, is attached under Appendix A. The appeal fee of **€1500.00** is also attached, based on the current An Bord Pleanála (ABP) schedule of fees for commercial development (i.e., more than a single residential unit).

The appeal should be read in conjunction with the original Planning Pack lodged with South Dublin County Council and the accompanying appendices to this appeal.

## 2.0 Reasons for Refusal + Associated Response

We have responded to each item raised by South Dublin County Council (attached under Appendix A) and have addressed each of the items. Our responses are in green for ease of reference.

It should be noted that SDCC did not afford the applicant the opportunity to make alterations to the designs put forward by way of requesting additional information. Each reason for refusal could have been addressed and a development subsequently granted, if this process was followed.

### **Item 1 –**

*The proposed dwellings, by reason of their design, scale and proximity to the northern site boundary with the immediate neighbour to the north, would be overbearing and visually dominant when viewed from the rear garden of the immediate neighbour to the north and lead to unacceptable levels of overlooking into this neighbouring rear garden. Accordingly, the proposed development is considered to contravene Section 11.3.2 (ii) Corner/Side Garden Sites of the South Dublin County Development Plan 2016-2022 and the zoning objective for the area which seeks 'to protect/and or improve residential amenity', would seriously injure the amenity of property in the vicinity and would contravene the proper planning and sustainable development of the area.*

### **Response:**

In relation to the proposed development being overbearing and visually dominant, it should be noted that the reduction in height from previously refused application SD20A/0334, from two-storey to storey and a half (bungalow type unit, as described in planners report), is less overbearing and visually dominant, than its predecessor.

Please see below extract from planner's report (Appendix B) which notes:

*"The proposed dwellings have been revised to 2 no. semi-detached, bungalow type houses. The nearest proposed dwelling to the existing dwelling to the east would be Unit 02, with an approx. 7.8m setback from No. 2 Newlands Park. This is an increase in setback from the previous application. The reduction in height and scale of the dwellings also reduces the impact of the proposal on the dwellings to the east. It is therefore considered that this reason has been overcome."*

By way of addressing the council's concerns in relation to scale, height and impact on the property and garden to the north of the subject site, we have proposed for An Bord Pleanála's consideration, 2no. angled windows to bedrooms at first floor level, to direct line of sight away from the property to the north (No. 15 Newlands Drive). Please see below extracts from first floor layouts of the original submission, and the revised submission, full drawing can be seen under Appendix E, which accompanies this appeal document.



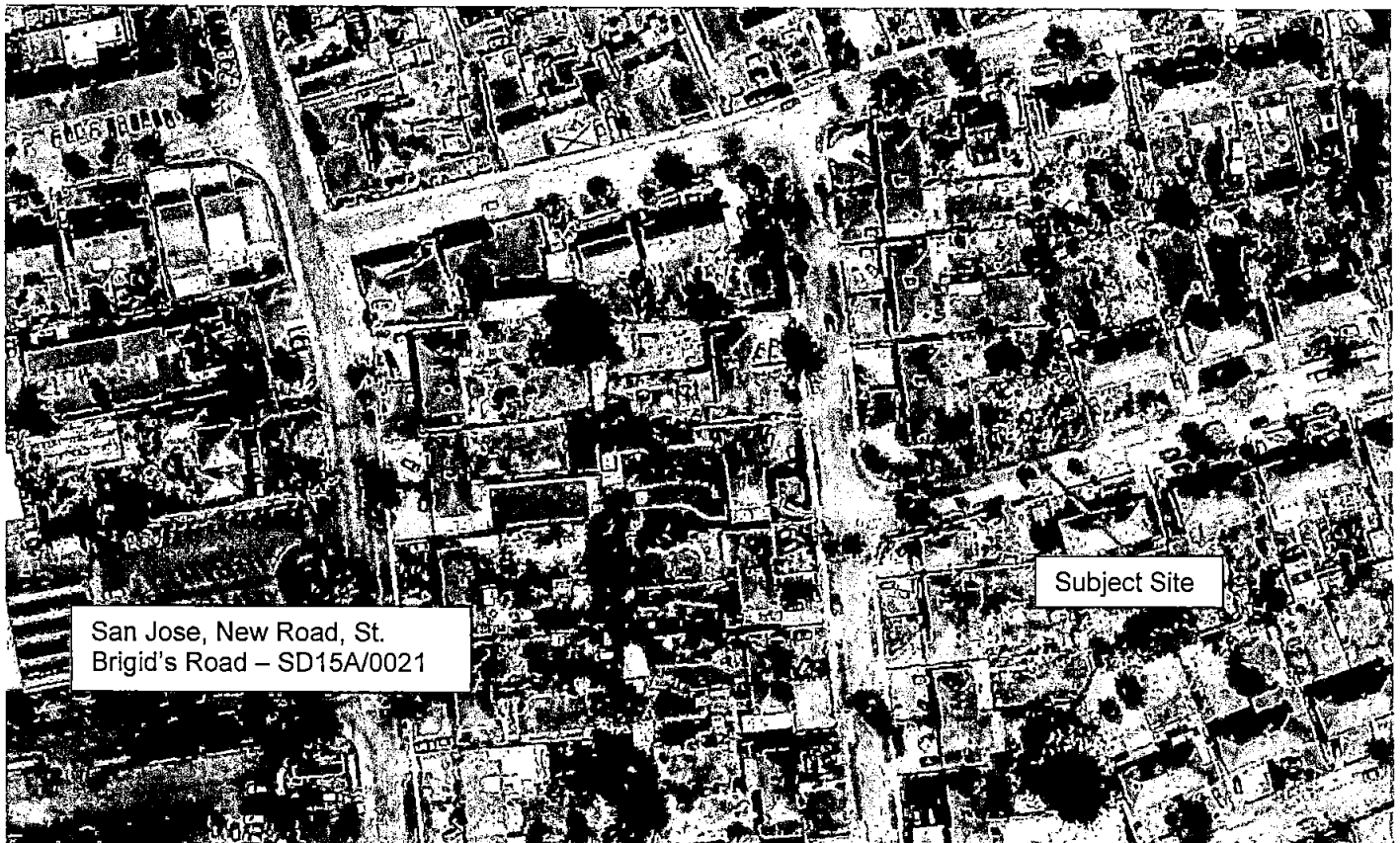


It should be viewed that these proposed changes alleviate the concerns SDCC have in relation to the impact on the property to the north, which could have been dealt with by way of additional information or by way of condition, for submitting to the council prior to commencement.

Furthermore, an application in the vicinity of the subject site was previously granted by SDCC for provision of 2no. additional units on the corner of St. Brigid's Road and New Road, Clondalkin.

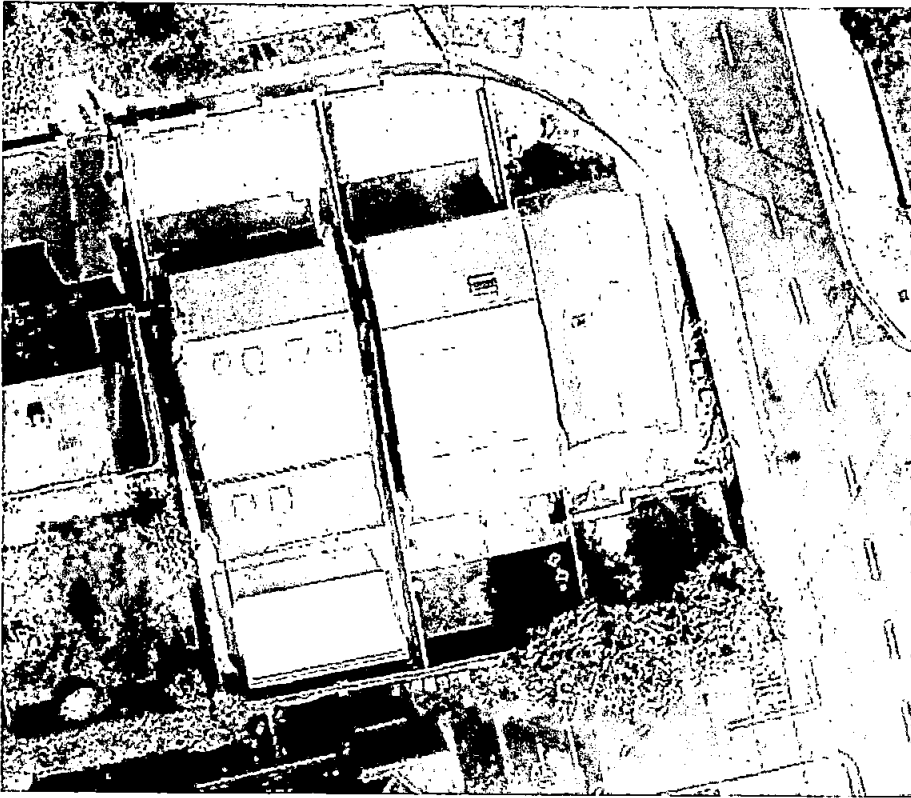
This proposal, which can be seen in extracts below from granted drawings associated with SD15A/0021, which was described on public notices as follows:

*Construction of two semi-detached four bedroom houses consisting of ground, first and attic floor levels (each house 166sq.m) in the existing side garden; subdivision of garden into two separate plots; existing house to be retained and it is proposed to alter the existing rear extension; construct a new two storey side extension to the front and alter the front fenestration and interior layout; the addition of two new driveway entrances from St. Brigid's Road, including adjustments to the footpath to accommodate them; modification of the existing driveway entrance from New Road; associated landscape and drainage works for these houses including the construction of new boundary walls to subdivide the plot.*

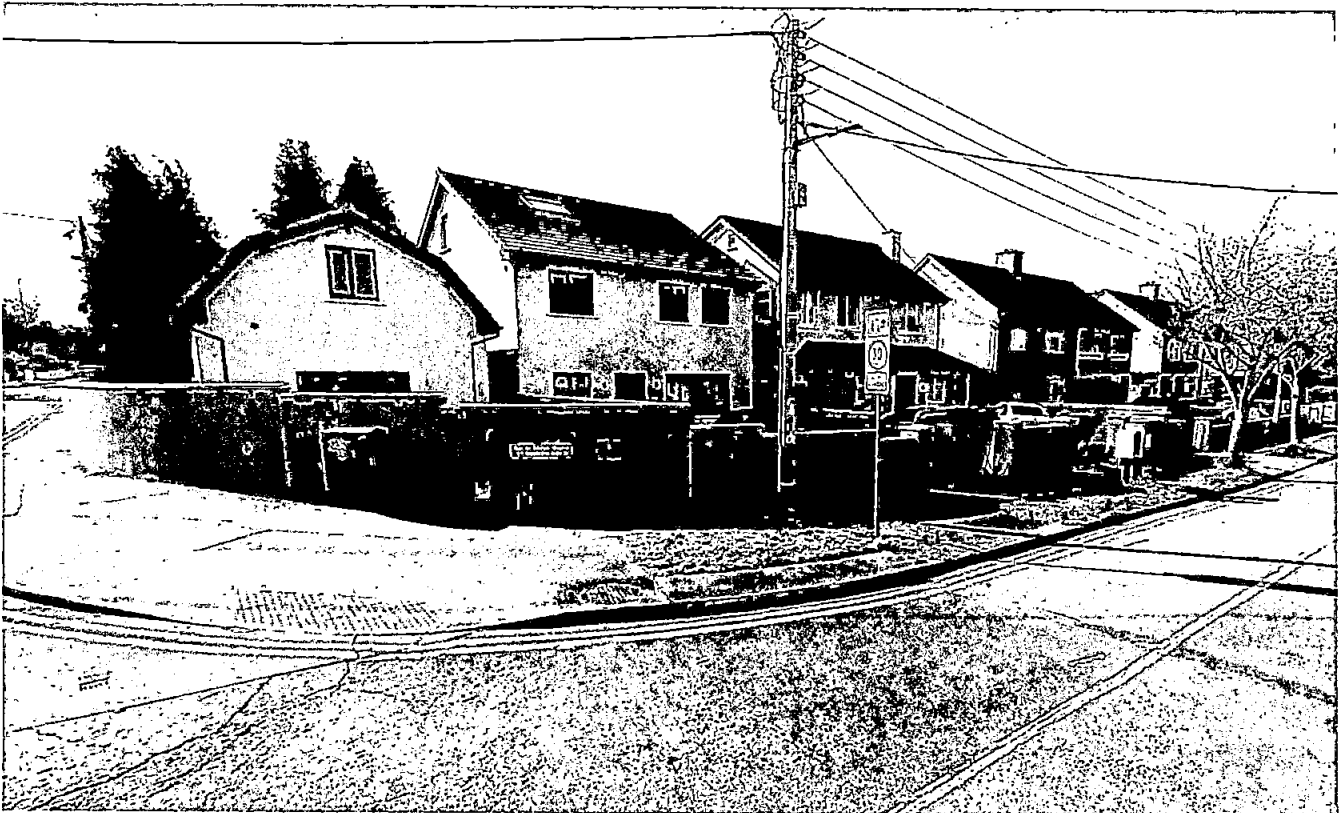


Extract from Google Maps showing site approved by SDCC under SD15A/0021 (San Jose) and proximity to subject site

As can be seen in the extracts below, from google maps and from granted ground floor plan, the site layout is far more constricted than that of the subject application. There is also a deviation from the design of the street, in terms of roof profiles and overall design. This was granted by SDCC in June 2015.



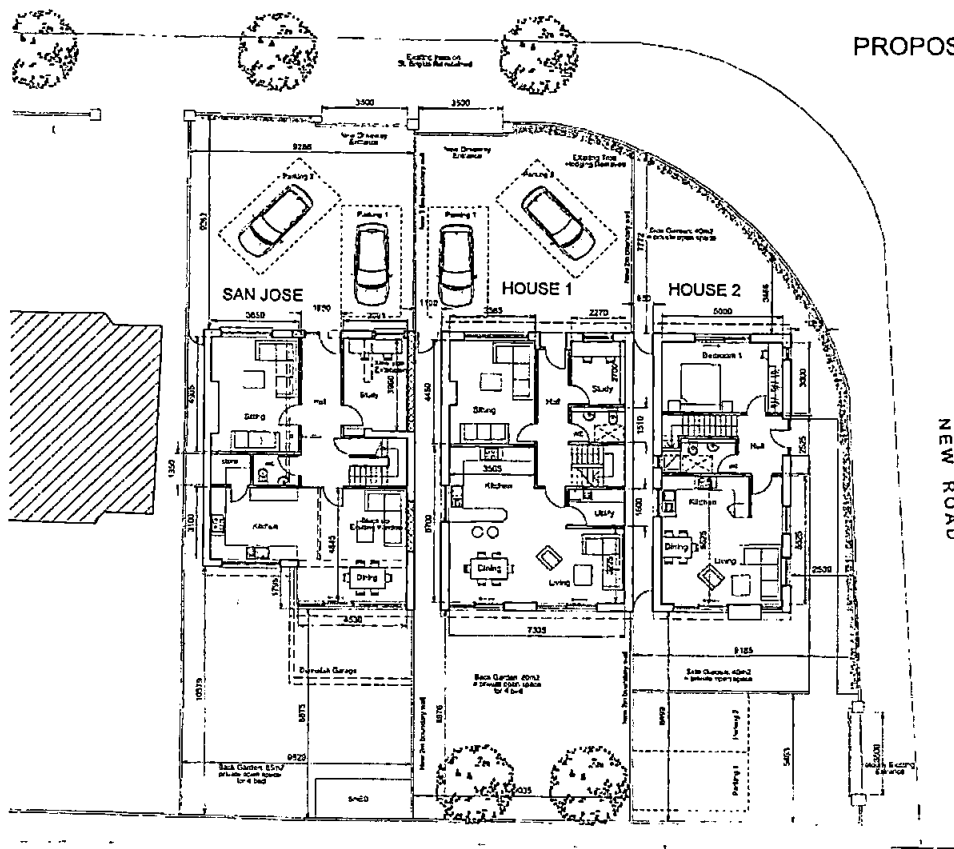
*Extract from Google Maps showing site approved by SDCC under SD15A/0021*



*Extract from Google Maps showing site approved by SDCC under SD15A/0021*

*Note several styles of elevations and roof profile, not in keeping with the vicinity were approved by SDCC*

PROPOSED GROUND FLOOR PLAN



Extract from Further Information Drawings submitted and approved by SDCC under SD15A/0021

Furthermore, as noted within the planner's report (Appendix B), the planner states the following in relation to the design of the units:

*"The proposed dwellings are considered to have a degree of architectural integration with the surrounding built form. While they would be distinctly different, they use similar form features and materials as development in the area. The proposed materials are render walls, slate roof tiles, aluminium cladding, metal capping, exposed concrete. The dwellings are a modern intervention and are clearly legible as new development. This contemporary design would be acceptable."*

It is therefore misguided for SDCC to note a reason for refusal on the basis of the proposal not in keeping with the surrounding area, when they have granted numerous applications which are less in keeping with the area and have noted that the design of the subject site is acceptable.

**Item 2 –**

*The addition of two more vehicular access points in close proximity to existing vehicular access points along Newlands Park would lead to an intensification of traffic accessing and egressing within a relatively short distance, which may endanger public safety by reason of a traffic hazard. Insufficient information has been submitted in relation to visibility splays to the satisfaction of SDCC's Roads Department. The proposed development would not accord with the proper planning and sustainable development of the area.*

**Response:**

Please note response was sought from the appointed engineers, GK Consulting Engineers in relation to the above reason for refusal. Please see below their response in relation to same. Note full response can be found under Appendix D, which accompanies this appeal document.

*"The cars will drive in & reverse out of parking spaces; Vision splays of 23 m is in accordance with DMURS requirements. Reference is made to DEPARTMENT OF TRANSPORT Manual for Streets 7.9 Frontage access.*

*Traffic flow and road safety for streets with direct frontage access*

*The relationship between traffic flow and road safety for streets with direct frontage access was researched for MfS. Data on recorded accidents and traffic flow for a total of 20 sites were obtained. All of the sites were similar in terms of land use (continuous houses with driveways), speed limit (30 mph) and geometry (single-carriageway roads with limited side-road junctions). Traffic flows at the sites varied from some 600 vehicles per day to some 23,000 vehicles per day, with an average traffic flow of some 4,000 vehicles per day.*

*It was found that very few accidents occurred involving vehicles turning into and out of driveways, even on heavily-trafficked roads.*

*Links with direct frontage access can be designed for significantly higher traffic flows than have been used in the past, and there is good evidence to raise this figure to 10,000 vehicles per day. It could be increased further, and it is suggested that local authorities review their standards with reference to their own traffic flows and personal injury accident records. The research indicated that a link carrying this volume of traffic, with characteristics similar to those studied, would experience around one driveway-related accident every five years per kilometre. Fewer accidents would be expected on links where the speed of traffic is limited to 20 mph or less, which should be the aim in residential areas."*

Further response can be made in relation to comments made by the Roads Department as outlined in the planner's report (Appendix B). Please see below extract from report and response to same below:

*"There would be 2 no. onsite car parking spaces provided for each dwelling. This level of car parking is acceptable to the Roads Department and the Planning Authority. A vehicular access would be constructed for each dwelling (2 no. new accesses from Newlands Park). The proposed vehicular access for Unit 01 is located directly adjacent to an existing vehicular access to the site from Newlands Park. This is not acceptable, and the proposed access would either need to be moved or the existing access removed.*

*The Roads Department have reviewed the proposed development and recommend refusal due the addition of two more vehicular access points in close proximity to existing access points (existing access to No. 13 from Newlands Park and access to No. 2 Newlands Park). This would lead to an undesirable intensification of traffic accessing and egressing within relatively a short distance, which would endanger public safety by reason of traffic hazard. The Roads Department also raises concerns regarding adequate visibility of vehicles egressing the site. The submitted visibility splays have been taken from 2.4m from the road edge. In order to ensure the safety of pedestrians, a visibility splay should be provided from a point 2m set back from the footpath edge. For clarity, an extract from the Roads Department report is included under the Access and Parking section of this report, below. Given the above, it is not considered that this reason for refusal has been overcome. Permission should be refused on this basis."*

**Response:**

As previously mentioned in this appeal document under Item 1, SDCC previously granted a development in the vicinity of the subject site under SD15A/0021 at the junction of St. Brigid's Road and New Road.

Please see below extracts from google maps showing the proximity of the granted vehicular access points off St. Brigid's Road and New Road; Further information / granted drawings showing the close proximity of the two new vehicular access points to each other – Note the distance between these two driveways is less than that within the subject application.

Note vehicular access and provision of 2no. car spaces per unit was granted by SDCC and approved by Roads Dept, with directly opposing communal car spaces – note also access in close proximity to each other

Note vehicular access and provision of 2no. car spaces was granted by SDCC and approved by Roads Dept., directly opposing a main road junction with Knockmeenagh Road



*Extract from Google Maps showing proximity of granted parking areas to opposing road junction and communal car parking spaces as approved by SDCC under SD15A/0021*

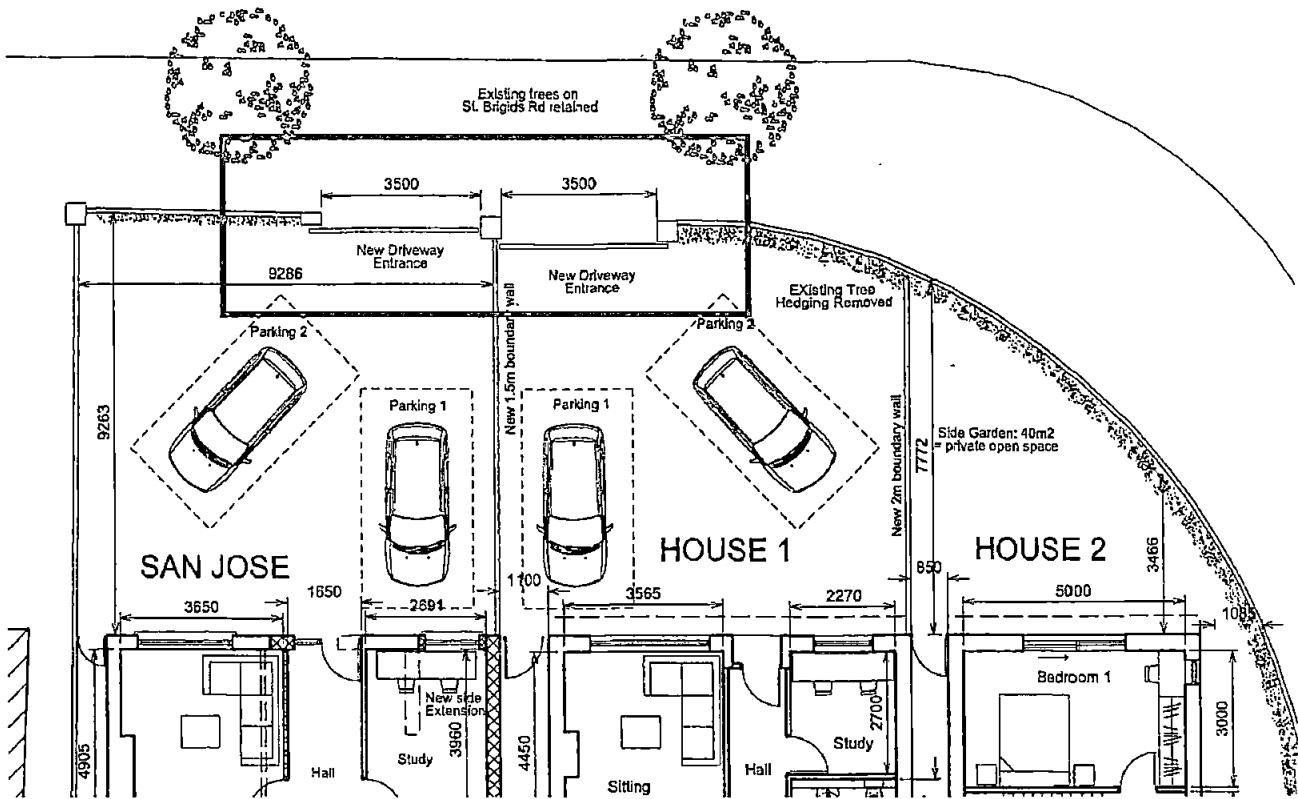
Please note that the Roads Departments in their initial review of the application SD15A/0021, and at the further information stage, did not comment on the impact that the vehicular access onto New Road would have, nor did it comment on the additional vehicular spaces along St. Brigid's Road, and how this was an intensification of traffic, and being in close proximity to existing vehicular access points.

Moreover, it is noted within the planner's report (Appendix B)

*The report from the Roads Department is noted. The Planning Authority consider that Newlands Park is a local street in a residential area and the provision of additional entrances is unlikely to cause a traffic hazard. If further consideration of the application is warranted, a further information request would be*

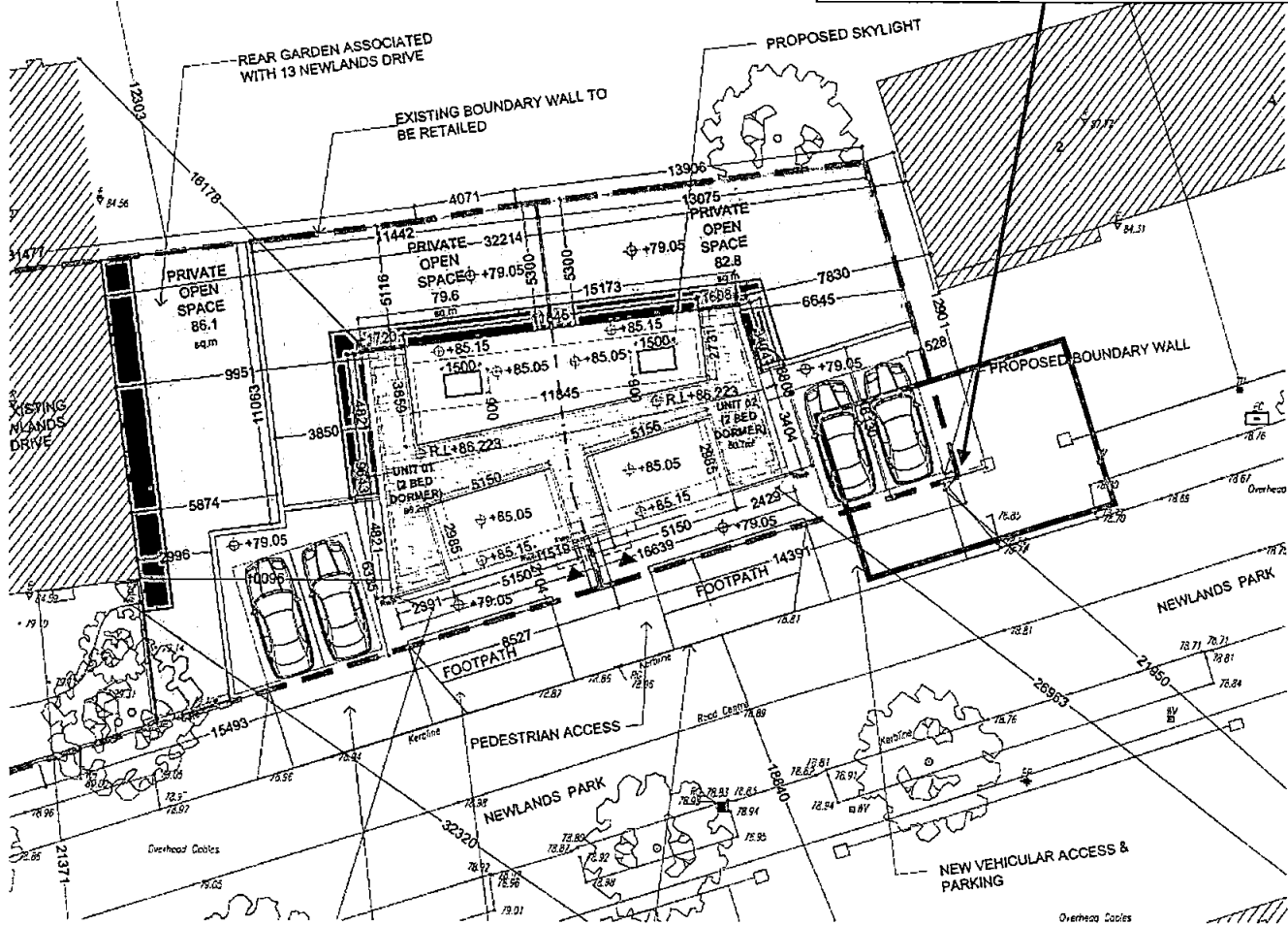
necessary. On balance, without further information and discussion with Roads, the concerns of a traffic hazard warrant a refusal reason.

Once more, the council did not afford the applicant the opportunity for dealing with these items by way of additional information nor are they clear in their assessment. At one instance they state that the new vehicular entrances points are not a traffic hazard, as per extract from planners report above, and on the other hand providing a reason for refusal deeming the proposal to be a traffic hazard.



Extract from Further Information Drawings submitted and approved by SDCC under SD15A/0021

Note new vehicular access to Unit 02 has separation of 1.5m to the access from No. 2 Newlands Park



Extract from subject application drawings under SD22A/0155

It should therefore be considered that the roads departments comments in relation to parking provision and location, are misguided. As they previously granted development with similar if not more hazardous than this subject application, and should not have been a reason for refusal, whereby additional information could have been requested and this item addressed or responded to.



### **Item 3 –**

*Having regard to the lack of information submitted in relation to Surface Water Drainage, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and is not consistent with the County Development Plan and the proper planning and sustainable development of the area.*

#### **Response:**

Please note that information in relation to surface water drainage, both drawings, report and analysis were issued to SDCC within the planning submission made. A further copy of this submission in relation to surface water drainage can be found under Appendix C.

Please note response was sought from the appointed engineers, GK Consulting Engineers in relation to the above reason for refusal. Please see below their response in relation to same. Note full response can be found under Appendix D, which accompanies this appeal document.

*“Our report, extract below, provided a strategy for surface water drainage & the drawings illustrated the drainage runs.*

*Due to the restricted nature of the site, it is not feasible to provide an onsite soak way which achieves the minimum setback of 5m from the building & 3m from the boundary. There is also a high risk associated with providing a storm water attenuation tank. In particular the requirements for long-term maintenance & infiltration of water adjacent to foundations.*

*The rainwater runoff is entirely gathered from roof runoff. We propose to use above perforated drains & permeable paving, in the interest of water percolation. The remainder of roof runoff will drain directly the adjacent surface sewer.”*

It is clear from the above, that the proposed surface water drainage design is in accordance with the Greater Dublin Strategic Drainage Study and the required SuDS analysis was carried out which led to the proposal being put forward for approval.

### 3.0 Summary Points to Overturn Decision and Grant Permission

As illustrated throughout this first party appeal document, put forward to An Bord Pleanála, the items raised have been addressed. Please see below extracts from the planner's report included in the summary points to overturn SDCC decision:

- As noted within the planner's report:  
*"The proposed development is consistent in principle with zoning objective RES – "To protect and/or improve residential amenity'.*
- As noted within the planner's report:  
*"Residential use is consistent with the zoning objective and is therefore considered to be acceptable in principle."*
- As noted within the planner's report:  
*"The proposed dwellings are considered to have a degree of architectural integration with the surrounding built form. While they would be distinctly different, they use similar form features and materials as development in the area. The proposed materials are render walls, slate roof tiles, aluminium cladding, metal capping, exposed concrete. The dwellings are a modern intervention and are clearly legible as new development. This contemporary design would be acceptable."*
- The proposed development is an efficient use of land and can be seen as a strategy in meeting the National Development Plan 2018 – 2027 outcome of securing more sustainable, compact settlements with greater densities. It should be noted that the proposal for a building of 7/8 stories is in line with the National Development Plan 2018 – 2027 outcomes, which detail the objective of providing more compact urban settlements. In order to achieve this aim, higher density schemes must be utilised, such as that of the subject proposal.
- It is clearly outlined in the National Development Plan 2018 – 2027 / Project Ireland 2040 that both the need for housing and the strategy to build the required supply results in the need is to build to a higher density and scale and in a more compact form within both urban and rural environments. It is on this basis that the subject application can be supported. The application seeks to increase density on a site, which is available for development and is underutilised. Cognisance must be taken of the current housing climate and the need for these types of private developments, in order to meet Government set housing targets and the verified demands.

- The Rebuilding Ireland – Action Plan for Housing and Homelessness (2016)

In line with the long-term housing demand of at least 500,000 new homes forecast within the NPF models, this level of housing supply will, at a minimum, need to be maintained to 2040'. With this objective being established in the Action Plan and further outlined under the National Development Plan, opportunities need to be taken to support developments of a higher density and scale.

- The site has been reviewed through a series of site visits and assessments by the various professional consultants. Through careful planning and design, a strategy for the site has been put forward to provide 2no. dwelling units on a generous corner /side plot, which will positively add to the existing context as a contemporary response to the existing Newlands Park.
- The current development proposal has been envisaged and designed as a low impact development which both compliments and reflects its surrounding context through its design, scale and materiality while providing a contemporary response to this well-established site and area.
- The increase in density on the subject site will further contribute to the surrounding area, providing an increased movement of people helping to sustain public transport networks, small commercial premises and generating increased vitality.
- The proposal creates much needed opportunity for the aging population to downsize, creating other housing opportunities in the area, in addition to providing for units for families and working professionals.

#### **4.0 Conclusion**

On the basis of the response outlined with the appeal, we would ask that An Bord Pleanála overturn the decision by South Dublin County Council and grant permission for the subject application.

Please advise us in the event that there are any omissions or unclear issues in relation to this appeal.



Paul Moran

Director CDP Architecture

**CC Applicant**

**Contact No. 085 2200808 / 01 6214498**

#### **5.0 Accompanying Documentation**

As part of our response to this appeal we enclose the following documentation:

**Appendix A:** South Dublin County Council to Refuse Permission SD22A/0155

**Appendix B:** Department Reports under SD22A/0155

**Appendix C:** Surface Water Drainage Report and Drawing as submitted to SDCC, under SD22A/0155

**Appendix D:** Response from GK Consulting Engineers in relation to reasons for refusal

**Appendix E:** Revised Drawings as prepared by CDP Architecture

**Appendix A: South Dublin County Council to Refuse Permission SD22A/0155**

Téléphoné: 01 4149000

Fax: 01 4149104

Email: [planningdept@sdblincoco.ie](mailto:planningdept@sdblincoco.ie)

CDP Architecture  
4, Main Street  
St. Edmondsbury  
Lucan  
Co. Dublin

**NOTIFICATION OF DECISION TO REFUSE PERMISSION  
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND  
PLANNING REGULATIONS THEREUNDER**

<b>Decision Order No.</b>	0944	<b>Date of Decision</b>	25-Jul-2022
<b>Register Reference</b>	SD22A/0155	<b>Date</b>	30-May-2022

**Applicant:**

H.H.M Investments Ltd

**Development:**

Construction of a 2 two bed semi-detached dormer bungalows with access from Newlands Park for vehicular parking; all associated site works, car parking, landscaping and boundary treatments.

**Location:**

13 Newlands Drive, Clondalkin, Dublin 22

**Time extension(s) up to and including:**

**Additional Information Requested/Received:**

/

**Clarification of Additional Information Requested/Received:**

/

**DECISION:** Pursuant to the Planning and Development Act 2000 (as amended), dated as above a decision to **REFUSE PERMISSION** is hereby made for the said development for the reason(s) set out on the Schedule hereto.

**REASON(S)**

1. The proposed dwellings, by reason of their design, scale and proximity to the northern site boundary with the immediate neighbour to the north, would be overbearing and visually dominant when viewed from the rear garden of the immediate neighbour to the north and lead to unacceptable levels of overlooking into this neighbouring rear garden. Accordingly, the proposed development is considered to contravene Section 11.3.2 (ii) Corner/Side Garden Sites of the South Dublin County Development Plan 2016-2022 and the zoning objective for the area which seeks 'to protect/and or improve residential amenity'), would seriously injure the amenity of

property in the vicinity and would contravene the proper planning and sustainable development of the area.

2. The addition of two more vehicular access points in close proximity to existing vehicular access points along Newlands Park would lead to an intensification of traffic accessing and egressing within a relatively short distance, which may endanger public safety by reason of a traffic hazard. Insufficient information has been submitted in relation to visibility splays to the satisfaction of SDCC's Roads Department. The proposed development would not accord with the proper planning and sustainable development of the area.
3. Having regard to the lack of information submitted in relation to Surface Water Drainage, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and is not consistent with the County Development Plan and the proper planning and sustainable development of the area.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001 (as amended). Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001 (as amended), have been considered in the determination of this application.

**Register Reference: SD22A/0155**

Signed on behalf of the South Dublin County Council.

Yours faithfully,

*Pamela Hughes* 28-Jul-2022  
**for Senior Planner**

## NOTES

### **(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION**

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

### **(A) APPEALS**

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
  2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
  3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
  4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
  5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
  6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
  7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
    - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made, where the application relates to unauthorised development .....€4,500.00 or €9,000.00 if an E.I.A.R. is involved
    - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made, other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
    - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b) .....€660.00
    - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) .....€220.00
    - (e) Application for leave to appeal .....€110.00
    - (f) Appeal following a grant of leave to appeal .....€110.00
    - (g) Referral .....€220.00
    - (h) Reduced fee (payable by specified bodies).....€110.00
    - (i) Submission or observations (by observer).....€50.00
    - (j) Request from a party for an Oral Hearing .....€50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100



**Appendix B: Department Reports under SD22A/0155**

# Comhairle Chontae Atha Cliath Theas

PR/0944/22

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0155      **Application Date:** 30-May-2022  
**Submission Type:** New Application      **Registration Date:** 30-May-2022  
**Correspondence Name and Address:** CDP Architecture 4, Main Street, St. Edmondsbury,  
Lucan, Co. Dublin  
**Proposed Development:** Construction of a 2 two bed semi-detached dormer  
bungalows with access from Newlands Park for  
vehicular parking; all associated site works, car  
parking, landscaping and boundary treatments.  
**Location:** 13 Newlands Drive, Clondalkin, Dublin 22  
**Applicant Name:** H.H.M Investments Ltd  
**Application Type:** Permission

(COS)

### Description of Site and Surroundings

Site Area: stated as 0.0862 Hectares on the application form.

Site Visit: 22<sup>nd</sup> of June 2022.

### Site Description

The subject site is located on the corner of Newlands Drive and Newlands Park in Newlands. The site consists of a two storey, semi-detached dwelling. The site has vehicular entrances off both Newlands Drive and Newlands Park. The site has a long rear garden with a number of mature trees. The streetscape and surrounding area have houses of a similar form and character.

### Proposal

Permission is being sought for the construction of 2 no. two bed semi-detached dormer bungalows with access from Newlands Park for vehicular parking: all associated site works, car parking, landscaping and boundary treatments.

### Zoning

The subject site is zoned 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2016-2022.

### Consultations

Water Services – additional information requested.

Irish Water – no objection subject to conditions.

# Comhairle Chontae Atha Cliath Theas

PR/0944/22

## Record of Executive Business and Chief Executive's Order

Roads Department – recommend refusal.

Public Realm – no objection subject to conditions.

H.S.E. Environmental Health Officer – additional information requested.

SEA Sensitivity Screening – no overlap indicated.

### Submissions/Observations/Representations

There were 5 no. third party submissions received. These are summarised as follows:

- Departure from the established pattern
- Does not match existing design, building lines or scale, not designed to integrate, no transitional elements, close to the footpath, fenestration out of step.
- Out of character in scale and design
- Private open space for proposed houses and No. 13 would have limited functionality and result in poor standard of residential amenity
- Overlooking and overbearing impacts on adjoining properties and rear gardens
- Ongoing parking issues and proposal would exacerbate this, entryway would face existing entryway, reduced sightlines increasing the risk of a traffic accident
- Cramped form of development indicative of overdevelopment on a constrained site. Previous applications rejected.
- Object to reduction in height and length of existing boundary wall along eastern boundary.
- Existing problems in relation to sewage and flooding in the estate and the proposed houses would put extra pressure on the system.
- Existing large beech trees on the subject site should be removed as causes damage to the boundary wall on the Newlands Park side. Deluge of leaves during winter.
- Loss of green spaces, and bird and fox habitat. Impact amenity and aesthetic value of area and views.

These submissions have been reviewed in full and taken into consideration in the assessment of this application.

### Relevant Planning History

#### *Subject site*

SD20A/0334

3 houses, comprised of two storey, two bed houses, one detached and two semi-detached on a site measuring 0.06ha. Each house is accessed from a private driveway with one private car parking space also provide per house. The development includes all associated site development works. **Permission refused** for the following three (3) reasons:

## Comhairle Chontae Atha Cliath Theas

PR/0944/22

### Record of Executive Business and Chief Executive's Order

1. Having regard to (a), (b) and (c) below, the proposed development would contravene the South Dublin County Development Plan 2016-2022 (Section 11.3.2 (ii) Corner/Side Garden Sites and the zoning objective for the area which seeks 'to protect/and or improve residential amenity') would seriously injure the amenity of property in the vicinity and would contravene the proper planning and sustainable development of the area
  - (a) In respect of the proposed pair of semi-detached dwellings, by reason of its height and proximity to the northern site boundary with the immediate neighbour to the north the proposed development would be overbearing, dominant and obtrusive when viewed from the rear garden of the immediate neighbour to the north;
  - (b) The proposed pair of semi-detached dwellings would have an overbearing impact on the dwelling to the east; and
  - (c) The proposed detached dwelling will not provide for dual frontage and presents a blank facade and no surveillance of the public domain; and
  - (d) The layout and depth of the private open space for the semi-detached dwellings would have limited functionality and would result in a poor standard of residential amenity for the occupants.
2. The proposed development (pair of semi-detached dwellings) would intensify the use of an existing access with reduced sightlines, increasing the risk of a traffic accident, and would provide no on site car parking. Having regard to the street layout and the location of the site in proximity to the junction, it is considered on street car parking only for the semi-detached dwellings would endanger public safety by reason of traffic hazard. Regarding the detached house, due to the lack of information submitted regarding vehicular parking and access arrangements for the existing dwelling and proposed dwelling, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not endanger public safety by reason of a traffic hazard.
3. Having regard to the lack of information submitted in relation to Surface Water Drainage and Environmental Health requirements, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and is not in the interests of the proper planning and sustainable development of the area.

S99B/0023

Extension to rear. **Permission granted.**

# Comhairle Chontae Atha Cliath Theas

PR/0944/22

## Record of Executive Business and Chief Executive's Order

### Relevant Enforcement History

None identified in APAS.

### Pre-Planning Consultation

Ref. PP027/21

Revisions to previously refused permission to develop 2 dwellings on the site with the removal of Dwelling A. It is also proposed to increase the open space provision area both of the new dwellings and the existing dwelling as a result of the reduction in the number of units being development on the subject lands.

### 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:*

*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.*

#### *7 Infrastructure & Environmental Quality*

##### *Policy IE 1 Water & Wastewater*

##### *Policy IE 2 Surface Water & Groundwater*

##### *Policy IE 3 Flood Risk*

##### *Policy IE 7 Environmental Quality*

#### *8 Green Infrastructure*

##### *Policy G1 Overarching*

##### *Policy G5 Sustainable Urban Drainage Systems*

#### *9. Heritage, Conservation & Landscapes*

##### *Policy HCL2 Natura 2000 sites*

#### *11 Implementation*

##### *Section 11.2.7 Building Height*

# Comhairle Chontae Atha Cliath Theas

PR/0944/22

## Record of Executive Business and Chief Executive's Order

### *Section 11.3.1 Residential*

#### *Section 11.3.1 (iv) Dwelling Standards*

*Table 11.20: Minimum Space Standards for Houses*

#### *Section 11.3.1 (v) Privacy*

### *Section 11.3.2 Residential Consolidation*

#### *(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, 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).*
- *Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling subdivision, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops.*
- *Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.*

#### *(ii) Corner/Side Garden Sites*

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

- *The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings,*

## Comhairle Chontae Atha Cliath Theas

PR/0944/22

### Record of Executive Business and Chief Executive's Order

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

*Section 11.4.2 Car Parking Standards*

*Table 11.24 Maximum Parking Rates (Residential Development)*

*Section 11.4.4 Car Parking Design and Layout*

*Section 11.6.0 Infrastructure and Environmental Quality*

*(i) Flood Risk Assessment*

*(ii) Surface Water*

*(iii) SUDS*

*(iv) Groundwater*

*(v) Rainwater Harvesting*

*(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).*

*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.*

*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).*

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## Record of Executive Business and Chief Executive's Order

*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).  
OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).*

### Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Previous Reasons for Refusal;
- Residential Amenity;
- Visual Amenity;
- Access and Parking;
- Services and Drainage;
- Environmental Health;
- 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'*. The residential development is permitted in principle subject to its accordance with the relevant provisions in the Development Plan with specific reference to Sections 11.3.2 (i) Infill Sites and (ii) Corner/Gardens Sites. The subject site forms the rear garden of No. 13 Newlands Drive.

### ***Previous Reasons for Refusal***

Permission for 3 no. houses, comprised of two storey, two bed houses, one detached and two semi-detached, was previously refused under Reg. Ref. SD20A/0334. An assessment of the subject application against the 3 no. reasons for refusal on this previous application is provided as follows:

1. *Having regard to (a), (b) and (c) below, the proposed development would contravene the South Dublin County Development Plan 2016-2022 (Section 11.3.2 (ii) Corner/Side Garden Sites and the zoning objective for the area which seeks 'to protect/and or improve residential amenity') would seriously injure the amenity of property in the vicinity and would contravene the proper planning and sustainable development of the area*
  - (a) *In respect of the proposed pair of semi-detached dwellings, by reason of its height and proximity to the northern site boundary with the immediate neighbour to the north the proposed development would be overbearing,*



## Comhairle Chontae Atha Cliath Theas

PR/0944/22

### Record of Executive Business and Chief Executive's Order

*dominant and obtrusive when viewed from the rear garden of the immediate neighbour to the north;*

The semi-detached dwellings proposed under Reg. Ref. SD20A/0334 were 2 storey pitched roof dwellings approx. 8.3m in overall height. These dwellings would have been offset approx. 2.45m from the boundary with the immediate neighbour to the north, No. 15 Newlands Drive, at the shortest point and project a length of approx. 15.0m along the northern boundary.

The proposed dwellings have been revised to 2 no. semi-detached, bungalow type houses. These dwellings would be approx. 7.0m in overall height. They would be setback approx. 5.1m and 5.3m from the northern boundary. The development would still extend approx. 15.1m in length when viewed from the north. While the setback has been increased, and height and scale of the dwellings reduced, the Planning Authority would still have concerns regarding the impact of the proposed dwellings on the property to the north.

The northern (rear) elevation of the dwellings, facing the rear amenity space of No. 15, would have first floor windows to bedrooms and hallways. The submitted drawings indicate that these windows would have obscured glass. Obscured glass to habitable rooms such as bedrooms is not acceptable due to daylight access. The proximity of the bedroom windows to the northern rear amenity space would lead to unacceptable levels of overlooking.

When viewed from the north, the proposed dwellings would still appear as two storey dwellings. Due to the proximity of the dwellings to the northern boundary and their scale and extent, they would appear as overbearing to this adjoining property.

The proposed dwellings would be approx. 9.9m from the existing dwelling at No. 13. There would be no windows on the elevation of Unit 01 facing this house and would therefore present a blank elevation. It is noted that this helps with addressing potential overlooking. However, it is considered an increased separation distance should be provided to reduce overbearing impacts and provide for a more usable private amenity space for the existing dwelling.

Given the levels of overlooking and overbearing, the proposed development would require a significant redesign and potentially the loss of one house to find a successful design solution. The level of impact from the current proposal would suggest overdevelopment of the site.

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### Record of Executive Business and Chief Executive's Order

It is acknowledged that there is a development opportunity on this site given its location and zoning. Sites, such as this one, are acceptable for residential development in line with infill development policy. It is clear that there is scope for the addition of a dwelling on this site. However, the proposed development has a significant impact on existing residential amenity, specifically to the north, rendering it unacceptable.

Given the above, it is not considered that this reason for refusal has been overcome.

*(b) The proposed pair of semi-detached dwellings would have an overbearing impact on the dwelling to the east; and*

The proposed dwellings have been revised to 2 no. semi-detached, bungalow type houses. The nearest proposed dwelling to the existing dwelling to the east would be Unit 02, with an approx. 7.8m setback from No. 2 Newlands Park. This is an increase in setback from the previous application. The reduction in height and scale of the dwellings also reduces the impact of the proposal on the dwellings to the east. It is therefore considered that this reason has been overcome.

*(c) The proposed detached dwelling will not provide for dual frontage and presents a blank facade and no surveillance of the public domain; and*

The detached dwelling has been omitted from the proposed development. The proposed semi-detached dwellings would front onto Newlands Park with no corner element of the sites. This reason has therefore been overcome.

*(d) The layout and depth of the private open space for the semi-detached dwellings would have limited functionality and would result in a poor standard of residential amenity for the occupants.*

The proposed development would have a similar site layout to what was previously proposed. Private open space for the proposed dwellings would be located to the rear and side and be approx. 79.6sq.m and 82.8sq.m in size. The depth of these spaces to the rear of the dwellings would be approx. 5.1m to 5.3m. The previously refused application had a depth of 3m to 4m on average. The remaining private open space for the existing dwelling would be approx. 86.1sq.m, with a depth of 5.8m.

While this is an increase from the depth proposed in the previous application, the Planning Authority would still have concerns with the usability of this space. Especially in combination with depth of the private open space retained for the existing house. **It is therefore not considered that this refusal reason has been overcome.**

## Comhairle Chontae Atha Cliath Theas

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### Record of Executive Business and Chief Executive's Order

2. *The proposed development (pair of semi-detached dwellings) would intensify the use of an existing access with reduced sightlines, increasing the risk of a traffic accident, and would provide no on site car parking. Having regard to the street layout and the location of the site in proximity to the junction, it is considered on street car parking only for the semi-detached dwellings would endanger public safety by reason of traffic hazard.*

*Regarding the detached house, due to the lack of information submitted regarding vehicular parking and access arrangements for the existing dwelling and proposed dwelling, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not endanger public safety by reason of a traffic hazard.*

There would be 2 no. onsite car parking spaces provided for each dwelling. This level of car parking is acceptable to the Roads Department and the Planning Authority. A vehicular access would be constructed for each dwelling (2 no. new accesses from Newlands Park).

The proposed vehicular access for Unit 01 is located directly adjacent to an existing vehicular access to the site from Newlands Park. This is not acceptable, and the proposed access would either need to be moved or the existing access removed.

The Roads Department have reviewed the proposed development and recommend refusal due the addition of two more vehicular access points in close proximity to existing access points (existing access to No. 13 from Newlands Park and access to No. 2 Newlands Park). This would lead to an undesirable intensification of traffic accessing and egressing within relatively a short distance, which would endanger public safety by reason of traffic hazard.

The Roads Department also raises concerns regarding adequate visibility of vehicles egressing the site. The submitted visibility splays have been taken from 2.4m from the road edge. In order to ensure the safety of pedestrians, a visibility splay should be provided from a point 2m set back from the footpath edge.

For clarity, an extract from the Roads Department report is included under the Access and Parking section of this report, below.

**Given the above, it is not considered that this reason for refusal has been overcome. Permission should be refused on this basis.**

## Comhairle Chontae Atha Cliath Theas

PR/0944/22

### Record of Executive Business and Chief Executive's Order

- 3. Having regard to the lack of information submitted in relation to Surface Water Drainage and Environmental Health requirements, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and is not in the interests of the proper planning and sustainable development of the area.*

Water Services have reviewed the proposed development and request additional information in relation to surface water and flood risk. They request that a report and drawing is submitted showing details of surface water attenuation. They also request a report demonstrating what, if any, flood risk there is for the development. For clarity, an extract from the Water Services report is included under the Services and Drainage section of this report, below.

The H.S.E. Environmental Health Officer has reviewed the proposed development and request additional information in relation to the impact of noise from the N7 on the proposed houses. While this formed part of a previous reason for refusal it is considered that the site is such a distance from the N7 that the noise from this would not have a significant impact.

**It is therefore not considered that this refusal reason has been overcome in relation to surface water drainage.**

Given the above, it is not considered that the previous reasons for refusal have been fully overcome. There are still concerns in relation to compliance with Council policy (Section 11.3.2 (ii) Corner/Side Garden Sites and the residential zoning objective for the area), impact on residential amenity, vehicular accesses and surface water drainage. **It is therefore considered that permission should be refused.**

#### ***Residential Amenity***

##### Existing residential amenity

Existing residential properties directly adjoin the site of the proposed dwellings to the west, north and east. To the south, across Newlands Park, are existing residential properties. To the north, the site adjoins the rear amenity space associated with No. 15 Newlands Drive. The applicant has provided a proposed block plan which shows the proposed dwellings in relation to the existing properties in the area.

The proposed front and rear building lines would not align with the front and rear building lines of the existing semi-detached dwellings to the east on Newlands Park. Section 11.3.2(ii)

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PR/0944/22

## Record of Executive Business and Chief Executive's Order

Corner/Side Garden Sites states that the dwelling(s) should generally be designed and sited to match the building line and respond to the roof pitch profile of adjoining dwellings. The dwellings would be sufficiently setback from the dwellings to the east in this regard. It is therefore considered that the projection is generally acceptable and would not adversely impact on the visual amenity of the street.

Third parties have raised the issue of changes to the existing eastern boundary wall (adjoining No. 2 Newlands Park). The submitted Proposed Boundary Treatment drawing demonstrates that this wall would be retained as is. Although, it is noted that to achieve adequate visibility from the proposed access at this boundary, this wall may have to be lowered in part.

New boundary treatments are proposed along the front boundary of the houses, between the houses' amenity spaces and the amenity space of the existing house. Low walls approx. 1.0m in height are proposed along the front boundary. Walls of approx. 1.8m are proposed between the gardens. The front boundary walls would need to be amended to improve visibility for vehicles egressing the site. Otherwise, the proposed boundary treatments are acceptable.

### Standard of proposed accommodation

The proposed 2 bed dwellings would be the following sizes:

	<b>Unit 01 (2 bed 4 person)</b>	<b>Unit 02 (2 bed 3 person)</b>
<b>Gross Floor Area</b>	96.2sqm	80.7sq.m
<b>Private Open Space</b>	79.6sq.m	82.8sq.m

The dwelling and private open space would meet the minimum space standards for houses, as per Table 11.20 of the CDP and the Quality Housing for Sustainable Communities-Best Practice Guidelines (2007). However, as raised previously in this report, the Planning Authority has concerns in relation to the usability of the private open spaces.

The proposed bedrooms would meet the minimum floorspace requirements of the CDP and Quality Housing for Sustainable Communities-Best Practice Guidelines. The proposed unobstructed living room widths, aggregate living areas and storage would comply with Quality Housing for Sustainable Communities-Best Practice Guidelines. The single bedroom in Unit 02 would be under the minimum room width requirement of 2.1m for a single bedroom. However, the house otherwise complies with or exceeds all other space requirements. It is also marginally under and is therefore acceptable.

# Comhairle Chontae Atha Cliath Theas

PR/0944/22

## Record of Executive Business and Chief Executive's Order

### *Visual Amenity*

Section 11.3.2 of the County Development Plan sets out a number of design criteria in relation to infill development and corner/garden sites. For infill sites, 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. Section 11.3.2 also outlines that where appropriate contemporary and innovative proposals that respond to the local context are encouraged.

The subject site is approx. 0.08862 ha in size, therefore a degree of architectural integration with the existing built form is required. The existing built form in the surrounding area is largely semi-detached two storey houses with hipped roofs. The dominant materials on these houses are render and brick, render at first floor and brick at ground.

The proposed dwellings are considered to have a degree of architectural integration with the surrounding built form. While they would be distinctly different, they use similar form features and materials as development in the area. The proposed materials are render walls, slate roof tiles, aluminium cladding, metal capping, exposed concrete. The dwellings are a modern intervention and are clearly legible as new development. This contemporary design would be acceptable.

### *Landscaping*

No landscape proposals or information in relation to existing trees have been submitted. The majority of the existing trees and vegetation on site to the rear of the existing house would be removed to facilitate the proposal. No tree survey or arboricultural report has been submitted.

Public Realm have reviewed the proposed development and have no objections subject to a condition requiring the applicant to plant 3 no. street trees to mitigate the loss of a significant number of large trees onsite and a street tree. This report from Public Realm is noted. The Planning Authority concurs that significant mitigation would be required to offset the removal of the trees onsite and in the public realm.

The Proposed Site Layout Plan shows that part of the grass verge along Newlands Park would be removed to make way for a pedestrian access to the site. This is not considered to be necessary given that the footpath is located to the inside of this verge and the houses would be accessible. This should therefore be omitted from the layout.

# Comhairle Chontae Atha Cliath Theas

PR/0944/22

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### *Access and Parking*

The Roads Department have reviewed the proposed development and recommend refusal:

#### *Description:*

*Construction of a 2 two bed semi-detached dormer bungalows with access from Newlands Park for vehicular parking.*

#### *Access:*

*The existing side boundary wall running adjacent to Newlands Park currently has vehicular access points at either end. The proposed development would result in the addition of two more vehicular access points in close proximity. This would lead to an undesirable intensification of traffic accessing and egressing within relatively short distance which would endanger public safety by reason of traffic hazard.*

#### *Parking:*

*2 No. parking spaces per house is in line with SDCC Development Plan standards. The car parking spaces are shown to have a minimum length of 6130mm which is considered acceptable.*

#### *Visibility:*

*The proposed front boundary wall is 1m high. SDCC Roads Department sets a height limit of 0.9m for boundary walls at vehicular access points in order to improve forward visibility for egressing vehicles.*

*Drivers of vehicles egressing the property should have adequate visibility before crossing the pedestrian footpath. The 1800mm high boundary walls at either end of the proposed properties may obstruct this visibility. The applicant has submitted a visibility splay, but it has been taken from 2.4m from the road edge. In order to ensure the safety of pedestrians, a visibility splay should be provided from a point 2m set back from the footpath edge.*

#### *Grass Verge:*

*The submitted site layout plans show proposed modifications to the grass verge at 3 No. locations. The removal of the grass verge for pedestrian access should be approved by SDCC Public Realm Department. There is a mature tree located in the grass verge at the Eastern end of the site. SDCC Public Realm Department will need to give approval for this tree's removal prior to the commencement of construction of the Eastern dish footpath.*





# Comhairle Chontae Atha Cliath Theas

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### ***Services and Drainage***

Water Services has reviewed the proposed development and request that additional information be submitted in relation to surface water and flood risk:

*1 Submit a report and drawing showing how much surface water will be attenuated in m3 and how much water is required to be attenuated in m3 for each dwelling.*

*Also show where and how surface water will be restricted to greenfield runoff rates or 2 litres/second per hectare whichever is greater. Design surface water layout for proposed development as per the greater Dublin Regional Code of Practice for Drainage Works.*

*2 Submit a report to show what if any flood risk there is for proposed development.*

Irish Water have reviewed the proposed development and have no objection subject to connection agreements via condition.

These reports are noted. Insufficient information has been provided in relation to surface water drainage and permission should therefore be refused on this basis.

### ***Environmental Health***

The H.S.E. Environmental Health Officer has reviewed the proposed development and requests additional information:

*Detailed information in the form of an acoustic report was not submitted with this application in consideration for the potential for noise from the nearby N7 motorway which may impact on residents residing at the proposed development.*

*The risk of noise nuisance to residents of the proposed development must be strongly considered. Design and structural noise mitigation measures may need to be incorporated to reduce the potential noise impact on the proposed residential properties.*

*Additional information is requested before the Environmental Health Officers Department can make a fully informed decision on this application.*

*1. An acoustic assessment must be undertaken by a suitably qualified acoustic consultant describing and assessing the potential noise impact of the nearby N7 on the proposed development. The investigation must include, but not be necessarily limited to, the following:*

*(a) The identification and cumulative assessment of all sources of noise including frequency analysis where necessary.*

*(b) An assessment of the existing background (LA90,15 min) and ambient (LAeq,15 min) acoustic environment at the receiver locations representative of the time periods that any noise impacts may occur including daytime and night time periods.*

# Comhairle Chontae Atha Cliath Theas

PR/0944/22

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(c) Distances between the proposed development and the nearest noise sources (i.e., traffic noise on the N7) and the predicted level of noise (L<sub>aeq</sub>, 15min) from this noise source when assessed at the boundary and within of the proposed development at both day and night time hours.

(e) A statement outlining recommended acoustic control measures that may need to be incorporated into the design and construction of the proposed residential units and/or site to ensure the use will not create adverse noise impacts on the occupiers.

BS8233:2014 and ProPG recommend an internal noise level of <35dB(A) in living rooms and bedrooms during the day and <30dB(A) in the bedroom during the night time period.

In order to achieve appropriate noise levels within the internal living areas of the proposed residential developments further information is requested regarding including the specification of the glazing and any other design features along the façade employed to reduce this potential for noise if warranted following the acoustic assessment.

The additional information submitted should specify the proposed sound reduction to be achieved by the control measures chosen to ensure the noise levels within the internal residential areas are in line with the recommendations of BS8233:2014 and ProPG.

This further information should include the following where deemed necessary –

2. The specification of the glazing and façade mitigation measures to be used within the residential units of the proposed development must be submitted.
3. The additional information submitted should specify the proposed sound reduction to be achieved and that the levels recommended in BS8233:2014 and ProPG.

The EHO comments are noted. Nevertheless, the site is considered such a distance from the N7 that the noise from this would not be significant.

### **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.

# Comhairle Chontae Atha Cliath Theas

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## Record of Executive Business and Chief Executive's Order

### *Screening for Appropriate Assessment*

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves the construction of 2 no. houses.

Having regard to:

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

### Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2016-2022, Sections 11.3.2 (i) Infill Sites and (ii) Corner/Gardens Sites and the RES zoning objective, the impact of the proposed houses on existing residential amenity, the standard of development, the location and design of the proposed vehicular accesses, and insufficient information regarding surface water drainage, it is considered that **permission should be refused**.

It is considered that there is potential to provide additional residential on the subject site and the Planning Authority would welcome revised proposals for a revised proposal in the form of a pre planning consultation or a new planning application.

### 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 dwellings, by reason of their design, scale and proximity to the northern site boundary with the immediate neighbour to the north, would be overbearing and visually dominant when viewed from the rear garden of the immediate neighbour to the north and lead to unacceptable levels of overlooking into this neighbouring rear garden. Accordingly, the proposed development is considered to contravene Section 11.3.2 (ii) Corner/Side Garden Sites of the South Dublin County Development Plan 2016-2022 and the zoning objective for the area which seeks 'to protect/and or improve residential amenity'), would seriously injure the amenity of property in the vicinity and would

## **Comhairle Chontae Atha Cliath Theas**

**PR/0944/22**

### **Record of Executive Business and Chief Executive's Order**

contravene the proper planning and sustainable development of the area.

2. The addition of two more vehicular access points in close proximity to existing vehicular access points along Newlands Park would lead to an intensification of traffic accessing and egressing within a relatively short distance, which may endanger public safety by reason of a traffic hazard. Insufficient information has been submitted in relation to visibility splays to the satisfaction of SDCC's Roads Department. The proposed development would not accord with the proper planning and sustainable development of the area.
3. Having regard to the lack of information submitted in relation to Surface Water Drainage, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and is not consistent with the County Development Plan and the proper planning and sustainable development of the area.

**Comhairle Chontae Atha Cliath Theas**

**PR/0944/22**

**Record of Executive Business and Chief Executive's Order**

**REG. REF. SD22A/0155**

**LOCATION: 13 Newlands Drive, Clondalkin, Dublin 22**

*Colm Harte*

**Colm Harte,  
Senior 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:**

*25/7/22*



**Eoin Burke, Senior Planner**

**Irish Water's Statutory  
Response to**

**South Dublin**

**Planning Authority**



UISCE Éireann  
Bosca OP 6000  
Baile Átha Cliath 1  
Éire

Irish Water  
PO Box 5000  
Dublin 1  
Ireland

T +353 1 89 7500  
F +353 1 89 7500  
[www.water.ie](http://www.water.ie)

**Planning Application No.**

**SD22A/0155**

**Date Lodged with Planning Authority:**

**30/05/2022**

**Development:**

Construction of a 2 two bed semi-detached dormer bungalows with access from Newlands Park for vehicular parking; all associated site works, car parking, landscaping and boundary treatments.

**Location :**

13 Newlands Drive, Clondalkin, Dublin 22



**IW Recommendation:**

**No Objection**

**IW Observations:**

**1 Water**

1.1 Prior to the commencement of development the applicant or developer shall enter into a water

connection agreement(s) with Irish Water.

- All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

**2 Foul**

2.1 Prior to the commencement of development the applicant or developer shall enter into a wastewater

connection agreement(s) with Irish Water.

- All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

Signed on Behalf of Irish Water:

Yvonne Harris

Date:

19/07/2022

**Appendix C: Surface Water Drainage Report and Drawing as submitted to SDCC, under SD22A/0155**





Consulting Engineers

Gk Consulting  
Engineers Ltd.

Unit 12, Block 4, Millbank Business Park  
Lucan  
K78 CF75

Ph: 014588786  
email: office@gkce.ie  
web: www.gkce.ie

VAT Reg. IE3507621NH  
CRO reg. 615221

**PROPOSED NEW DEVELOPMENT  
AT NEWLANDS DRIVE  
CLONDALKIN  
CO. DUBLIN**

**DRAINAGE DESIGN REPORT**

Prepared by GK, Consulting Engineers

Date: October 2021

GK Consulting Engineers, Reg. No. 615221



## **Introduction**

GK Consulting Engineers have undertaken a detailed assessment of proposed foul & surface water drainage infrastructure, associated with the proposed new dwellings at Newlands Drive, Clondalkin, Co. Dublin. It is proposed to construct a 2No. 2 storey dwellings.

It is proposed to outfall the foul sewer to an existing 225 mm foul sewer public drain located at the front of the property along Newlands Park. The surface water runoff for paved areas percolates onsite to porous paving. Due to insufficient setback distances for an infiltration trench, the roof runoff outfalls to the existing 150 mm surface public sewer on Newlands Drive.

## **Scope**

This report outlines the proposals for the provision of services to facilitate the proposed new dwellings. This report should be read in conjunction with all relevant drawings as part of this submission.

This report has been based on available information & drainage maps compiled from South Dublin County Council.

## **Existing site services local authority networks**

The existing site is serviced the following site infrastructure.

### Foul Sewer

An existing 225 mm foul sewer public drain located at the front of the property along Newlands Park.

### SURFACE WATER

An existing 150mm diameter combined sewer is located on Newlands Drive

### WATER MAIN

An existing 125mm MDPE diameter watermain is located at the front of the property along Newlands Park.

## **Reference publications**

Code of Practice – Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)

Greater Dublin Strategic Drainage Study – Volumes 1 to 6

Greater Dublin Regional Code of Practice for Drainage Works – Version 6.0 Technical Guidance Documents – Part B

Recommendations for Site Development Works for Housing Areas



## Surface water design summary

It is proposed to install permeable paving for hard standing areas. The surface drainage layout is indicated on Site Layout Drawing C102

The pipe network is designed for a rainfall intensity of 50mm/hr, BS8301 8.8.2 or 1 in 2 year return period

## Surface water pipe network design

The system is designed in accordance with BS8301: 1985 British Standard Code of Practice for Building Drainage.

Check Pipe network design for a worst-case storm with 1:2 year return period.

The worst-case storm duration is when the storm duration equals the time of concentration of the system.

### BS8301 8.8.3 (Wallingford Rational Method)

From drawings - effective impermeable area drained to surface water sewer is 100m<sup>2</sup> from roof runoff

Time of concentration = time of entry + (length of drain / full bore velocity of flow)

BS8301 8.8.4 (c)

Time of entry for a two-year return period is 4 to 7 mins

For a flat catchments we take the longer time of 7 mins = 420 s

Taking an average velocity = 0.75m/s

Total length of drain picking up the development catchment = 50m approx

$t = 420 + (50 / 0.75) = 480s$        $t = 8$  mins

Referring to published Met office rainfall data:

Closest data is for storm duration of 15 mins with a two-year return period,

Rainfall      = 7.0mm per 15min period

                 = 28.0 mm per hour

$Q = A_p \times i \times C_v \times C_r \times 2.78$       (area drained by section of network 100m<sup>2</sup>)

$Q = 100 \times 28.0 \times 1.3 \times .8 \times 2.78$

$Q = 0.8$  l/s

21214R001 Proposed foul & Surface Drainage Report



## Extreme Rainfall Return Periods

Location: Dublin City Centre  
Average Annual Rainfall: 751

Maximum rainfall (mm) of indicated duration expected in the indicated return period.

Duration	Return Period (years)								
	1/2	1	2	5	10	20	30	50	100
1 min				1.8	2.1	2.5	2.8	3.1	3.6
2 min				3.0	3.5	4.3	4.8	5.4	6.2
5 min				5.4	6.4	7.7	8.6	9.9	11.3
10 min				7.7	9.2	11.3	12.6	14.5	16.8
15 min	4.6	5.8	6.6	9.3	11.6	14.3	16.1	18.7	22
30 min	6.2	7.8	8.8	12.4	15.4	18.8	21.1	24	28
60 min	8.2	10.4	11.5	16.0	19.7	24	27	31	36
2 hour	11.0	13.6	15.3	20.5	25	30	33	37	43
4 hour	15.1	18.4	20.4	27	32	37	41	46	52
6 hour	18.1	22.2	24	32	37	44	48	53	61
12 hour	23.5	28	31	40	47	54	59	66	75
24 hour	29	35	38	49	57	66	71	79	89
48 hour	36	43	47	59	69	78	85	94	106
96 hour									

Notes: Larger margins of error for 1, 2, 5 and 10 minute values and for 100 year return periods  
M560: 16                      M52d: 56                      M560/m52d: 0.29

BS8301 8.8.2 design for rainfall intensity of 50mm/hr

$$\text{Outfall Flow} = [(100 \times 50 / 1000) / (60 \times 60)] \times 1000 = 1.4 \text{ l/s}$$

### Summary

**The surface water pipe network is designed to cater for an outfall of 1.4 l/s, per the requirements of BS8301 8.8.2**

The proposed surface water network utilises 150mm diameter concrete/upvc pipes at a minimum fall of 1:100. The capacity of the proposed pipe is 22l/s

## Surface water drainage design

The proposed surface water drainage scheme has been designed in accordance with Greater Dublin Strategic Drainage Study using sustainable drainage systems (SuDS).

A SuDS analysis of the site was carried out using the online tools available on [www.irishsuds.com](http://www.irishsuds.com) as directed by the Dublin City Council Water, Waste and Environmental services. The SuDS analysis determined the following options as feasible for the proposed works



- Soakaway
- Permeable Paving
- Green Roofs
- Rainwater Harvesting
- Percolation
- Water butts

Due to the restricted nature of the site, it is not feasible to provide an onsite soak way which achieves the minimum setback of 5m from the building & 3m from the boundary. There is also a high risk associated with providing a storm water attenuation tank. In particular the requirements for long-term maintenance & infiltration of water adjacent to foundations.

The rainwater runoff is entirely gathered from roof runoff. We propose to use above perforated drains & permeable paving, in the interest of water percolation. The remainder of roof runoff will drain directly the adjacent surface sewer.

## **Foul drainage**

The foul drainage layout is indicated on Site Layout Drawing C101. The sewer discharges by gravity via an onsite 150mm diameter private sewer. The private foul sewer crosses the site & outfalls to an existing 225 mm foul sewer public drain located at the front of the property along Newlands Park

The pipe materials and gradients are chosen to ensure self-cleaning velocities (i.e. between approximately 0.75 and 1.8 m/sec) at flows greater than approximately 1/8 of the pipe bore.

## **Design summary**

### **Design flow rate based on Discharge Units for the development:**

Based on Table 4 & Fig. 2 BS8301

Discharge units per dwelling	=	14
Total Discharge units for 2 dwellings units	=	28



Peak flow rate from fig 2 BS8301 = 2.8 l/s

### Calculation summary

The foul pipe network will be designed for 2.8 L/s based on the discharge unit method.

The onsite network will utilise 150mm diameter uPvc pipes at a the following gradients

1. Discharge from site = 1:100
2. Between AJ connections = 1:75
3. Head of sewer = 1:50

Allowable foul flow at 75% of proportional depth for 150mmdia pipes at min. gradient of 1:100 = 22L/s

Pipe sizes, gradients, invert and cover levels and connection to public sewers are shown on drawings

### Water Supply

The lands subject to the planning application is serviced by an existing water mains along Newland Park. All water mains / service pipes are to be laid to the specification as detailed in 'Recommendations for Site Development Works for Housing Areas' by the DOE & Local Government.

It is proposed to connect a service pipe to this water main and distribute a water supply to the dwelling.

Reference is made to Irish Water Code of Practice for Water Infrastructure. Section 3.7.3, Average domestic daily demand in a development can be established based on daily per-capita consumption, house occupancy, number of properties, etc.

For design purposes the average daily domestic demand shall be based on a per-capita consumption of 150 l/person/day and an average occupancy ratio of 2.7 persons per dwelling unit. The average day/peak week demand should be taken as 1.25 times the average daily domestic demand.

Based on the Architects schedule of accommodation.

Number of Apartment units = 2

Average daily demand =  $2 \times 150 \times 2.7 = 810$  litres /day

Average hour demand =  $810 / 24 \times 60 \times 60 = 0.001$  litres /sec

Peak daily demand =  $1.25 \times 810 = 1013$  litres /day

Based on a 10hr day =  $1013 / (10 \times 60 \times 60) = 0.028$  l/s

**Appendix D: Response from GK Consulting Engineers in relation to reasons for refusal**



Consulting Engineers

Gk Consulting  
Engineers Ltd.

Unit 12, Block 4, Millbank Business Park,  
Lucan  
K78 CF75

Ph: 014588786  
email: office@gkce.ie  
web: www.gkce.ie

VAT Reg: IE3507621NH  
CRO reg: 615221

**PROPOSED RESIDENTIAL DEVELOPMENT  
AT THE REAR OF NO 13. NEWLANDS DRIVE  
CLONDALKIN  
CO. DUBLIN  
NOTIFICATION OF DECISION TO REFUSE PERMISSION**

Prepared by GK, Consulting Engineers

Date: August 2022

GK Consulting Engineers, Reg. No. 615221  
T. (01)8749322, F. (01)4588786, E-mail: office@gkce.ie, www.gkce.ie





## INTRODUCTION

This report has been prepared in reply to South Dublin County Council notification of decision to refuse permission, date of decision 25. July 2022, decision order No.0944, register reference SD22A/0155 item 2&3.

**2. The addition of two more vehicular access points in close proximity to existing vehicular access points along Newlands Park would lead to an intensification of traffic accessing and egressing within a relatively short distance, which may endanger public safety by reason of a traffic hazard. Insufficient information has been submitted in relation to visibility splays to the satisfaction of SDCC's Roads Department. The proposed development would not accord with the proper planning and sustainable development of the area.**

The cars will drive in & reverse out of parking spaces; Vision splays of 23 m is in accordance with DMURS requirements.

Reference is made to **DEPARTMENT OF TRANSPORT Manual for Streets 7.9 Frontage access**

"Traffic flow and road safety for streets with direct frontage access

The relationship between traffic flow and road safety for streets with direct frontage access was researched for MfS. Data on recorded accidents and traffic flow for a total of 20 sites were obtained. All of the sites were similar in terms of land use (continuous houses with driveways), speed limit (30 mph) and geometry (single-carriageway roads with limited side-road junctions). Traffic flows at the sites varied from some 600 vehicles per day to some 23,000 vehicles per day, with an average traffic flow of some 4,000 vehicles per day.

It was found that very few accidents occurred involving vehicles turning into and out of driveways, even on heavily-trafficked roads.

Links with direct frontage access can be designed for significantly higher traffic flows than have been used in the past, and there is good evidence to raise this figure to 10,000 vehicles per day. It could be increased further, and it is suggested that local authorities review their standards with reference to their own traffic flows and personal injury accident records. The research indicated that a

link carrying this volume of traffic, with characteristics similar to those studied, would experience around one driveway-related accident every five years per kilometre. Fewer accidents would be expected on links where the speed of traffic is limited to 20 mph or less, which should be the aim in residential areas."

**3. Having regard to the lack of information submitted in relation to Surface Water Drainage, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and is not consistent with the County Development Plan and the proper planning and sustainable development of the area.**

Our report, extract below, provided a strategy for surface water drainage & the drawings illustrated the drainage runs.



"Due to the restricted nature of the site, it is not feasible to provide an onsite soak way which achieves the minimum setback of 5m from the building & 3m from the boundary. There is also a high risk associated with providing a storm water attenuation tank. In particular the requirements for long-term maintenance & infiltration of water adjacent to foundations.

The rainwater runoff is entirely gathered from roof runoff. We propose to use above perforated drains & permeable paving, in the interest of water percolation. The remainder of roof runoff will drain directly the adjacent surface sewer."