

Comhairle Chontae Atha Cliath Theas

PR/1126/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0324 **Application Date:** 11-Jul-2022
Submission Type: New Application **Registration Date:** 11-Jul-2022

Correspondence Name and Address: Michael Frain, F&D Studio Architects F & D Studio Architects, 43, Downpatrick Road, Dublin 12

Proposed Development: The development consists of alterations to the former boundary wall and pedestrian entrance to creating a new vehicular access / entrance 3.5m wide and additional side pedestrian entrance and permission to complete with the addition of gates and all associated alterations, siteworks and ancillary works

Location: 9, Dodderdale, Rathfarnham, Dublin 14

Applicant Name: Anne Donnelly

Application Type: Permission and Retention

(NM)

Description of Site and Surroundings:

Site Area

Stated as 0.0155Hectares.

Site Visit: 29/08/2022

Site Description

The site contains an end of terrace, two-storey dwelling with a pitched roof located behind Rathfarnham Village and located in an Architectural Conservation Area. The area is characterised by units of similar architectural design with a relatively uniform building line.

Proposal:

The development will consist of:

- alterations to the former boundary wall and pedestrian entrance to creating a new vehicular access /entrance 3.5m wide and additional side pedestrian entrance and permission to complete with the addition of gates and all associated alterations, siteworks and ancillary works.

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Zoning:

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

Consultations:

Irish Water - No report received
Water Services – No report received
Roads Department – No objections subject to conditions.
Parks Department – No comment.
Architectural Conservation Officer – not referred

SEA Sensitivity Screening

Overlaps with the following relevant layer:

- Architectural Conservation Area

Submissions/Observations /Representations

None received.

Relevant Planning History

Subject Property

None

Adjacent sites:

None.

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

Relevant Policy in South Dublin County Council Development Plan 2022- 2028

13.8.4 Car Parking Design and Layout

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

- *Traffic Calming: On-street parking increases driver caution by visually narrowing the vehicular carriageway and reducing forward visibility;*
- *Efficiency: On-street parking allows for a greater turnover of spaces and caters for visitors;*

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- *Pedestrian Comfort: The need for vehicular crossovers and the temptation for drivers to kerb mount and block footpaths is significantly reduced;*
- *Streetscape: Extensive parking to the immediate front of dwellings (where landscaping could be provided) will dominate the appearance of the houses and detract from the visual qualities of the area.*

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

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

Widening of Driveways to Accommodate In-Curtilage Parking

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

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

Green Infrastructure

- **Policy GII:** *Overarching Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.*

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- **GI1 Objective 4:** *To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*
- **GI2 Objective 4:** *To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*
- **GI4 Objective 1:** *To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

Natural, Cultural and Built Heritage

- **Policy NCBH20:** *Architectural Conservation Areas Preserve and enhance the historic character and visual setting of Architectural Conservation Areas and carefully consider any proposals for development that would affect the special value of such areas.*
- **NCBH20 Objective 1:** *To avoid the removal of distinctive features that positively contribute to the character of Architectural Conservation Areas including building features, shop fronts, boundary treatments (including walls), street furniture, landscaping and paving.*
- **NCBH20 Objective 2:** *To prohibit demolition of a structure that positively contributes to the architectural character of the ACA.*
- **NCBH20 Objective 3:** *To ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area (ACA) preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.*
- **NCBH21 Objective 2:** *To ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including surrounding housing estates or streetscapes.*

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Built Landscape Character Types

Historic Urban - Rathfarnham Village including Willbrook

Principles for Development

- *Enhancement of the historic fabric of these villages.*
- *Use of appropriate building forms and materials in public realm.*
- *Consistency with and consideration of designations such as Architectural Conservation Areas.*
- *Compliance with the above in new developments and public realm projects.*
- *Soft landscape treatments to enhance green infrastructure at smaller scale.*

South Dublin County Council House Extension Design Guide (2010)

Relevant Government Guidelines

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment 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, (2008).

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

Assessment

The main issues for assessment are

- Zoning and Council policy,
- Residential and Visual amenity
- Drainage
- Roads
- Parks
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

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Zoning and Council Policy

A development comprising of retention of a widened vehicular entrance and permission for the erection of pedestrian and vehicular gates would be consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan **2022-2028** and the House Extension Design Guide.

With regard to the location within Rathfarnham ACA, the proposal as outlined which is located to the west of main street, would not adversely impact on the environs of the streetscape, the existing amenities, character and heritage of the area, in accordance with Section 3.5.3 Architectural Conservation Areas.

Residential and Visual Amenity

Retention Permission for Widening of Existing Vehicular Entrance

Visual

The pillar heights are 1.2m which is suitable, but it is not clear from the drawings provided what materials will be used and it should be **conditioned** that they match the existing pillars in the event of a grant of permission. The boundary treatment appears to be metal fencing which matches the existing fence which is appropriate.

Residential

The vehicular entrance in its current state has been extended without the benefit of planning permission to 4.2m which is not consistent with the House Extension Design Guide. The revised plans show a modified vehicular entrance width of 3.5m which would be acceptable. The depth of the driveway is 5.1m which conflicts with the House Extension Design Guide recommended 6m minimum but this is considered allowable in this instance. It is noted that the other widened vehicular entrances in the immediate vicinity do not have the benefit of planning permission. The property is located in the Rathfarnham Architectural Conservation Area but the proposed development for retention would not be excessively detrimental to the character of the area.

Overall, the widened vehicular entrance would not seriously injure the visual or residential amenities of the area and is therefore acceptable subject to conditions.

New Pedestrian and Vehicular Access Gates

The new pedestrian and vehicular access gates appear to be metal fencing which matches the existing and proposed fencing which would not be visually obtrusive. It should be **conditioned** in the event of a grant of permission that both the pedestrian and vehicular gates do not open onto the public footpath.

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The proposed new gates would be visually acceptable.

Drainage

No report was received from Water Services or Irish Water. It is considered reasonable that the standard **conditions** should apply in the event of a grant of permission.

Roads

The roads department have no objections to the proposed development subject to conditions. The following was received:

No Roads objections subject to the following conditions:

- 1. Insufficient space provided for the proposed-on curtilage parking, a minimum of 6m should be available from the boundary to the front elevation of the proposed dwelling.*
- 2. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.*

Condition 1 is noted but is not considered an enforceable condition as 6m in depth from the front of the property is not available and should not be attached in the event of a grant of permission. **Condition 2** is applicable and should be attached. Furthermore, a **condition** regarding the gates not opening outwards on to the public footpath should be attached in the event of a grant of permission.

Parks

The Public Realm Section have no comment on the proposed development as no green areas, grass margins, street trees, areas in the public domain or parks etc. will be affected as a result of the development.

Green Infrastructure

The subject application provides for a relatively small development at the subject house consisting of a widened entrance for retention and new gates on an established residential site. The site is located within a Primary GI Corridor 1 - Dodder River Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028).

Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required.

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Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises widened vehicular entrance and permission for the erection of pedestrian and vehicular gates

Having regard to:

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

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

Environmental Impact Assessment (EIAR)

Having regard to the modest nature of the development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Development Contributions

Development Contributions Assessment Overall Quantum

Retention of Widened Vehicular Entrance: 0sqm

Assessable Area: 0sqm

SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 0sqm

Land Type: Urban Consolidation.

Site Area: 0.0155 Hectares.

Conclusion

The development of pedestrian and vehicular access gates as proposed is in keeping with the policies and objectives as set out in the South Dublin County Development plan **2022-2028** and would not injure the amenity of the wider area. Thus, permission for the proposed development should be granted subject to conditions.

Retention for the widening of the vehicular entrance to 3.5m is considered acceptable and in keeping with the policies and objectives as set out in the South Dublin County Development plan **2022-2028** and therefore, retention permission should be granted.

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Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission & Grant Retention for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The proposed development shall be carried out (and retained development shall be retained) and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Finishes.
The pillars, gates and fencing shall harmonise in colour and texture with the existing pillars and fencing in the immediate vicinity. Details of same shall be submitted to the Planning Authority for written agreement and such agreed details shall be fully implemented on site within one year of the date of final grant of permission.
REASON: In the interest of visual amenity.
3. Gates.
No gate to be installed or erected shall be capable of opening across any public footpath, cycle-track, roadway or right of way, and any front entrance pillars shall be a maximum height of 1.2m .
REASON: In the interests of visual amenity and pedestrian safety.
4. Drainage - Surface Water.
The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

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- (a) Fully detailed foul and surface water drainage plans for the proposed development as approved showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or Irish Water,
- (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
- (c) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.
- (d) The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance and shall include documented evidence of infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365.

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:

- (i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.
- (ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.
- (iii) a minimum of 10m from any sewage treatment percolation area.
- (iv) at least 10m from any stream / river / flood plain.

In addition only rainwater shall be discharged to soakaways.

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

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

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

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REG. REF. SD22B/0324

LOCATION: 9, Dodderdale, Rathfarnham, Dublin 14


jjohnston

Jim Johnston,
Senior Executive Planner

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

Date: _____

5/9/22



Eoin Burke, Senior Planner