

# Comhairle Chontae Atha Cliath Theas

**PR/1148/22**

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

**Reg. Reference:** SD22A/0131      **Application Date:** 03-May-2022  
**Submission Type:** Additional      **Registration Date:** 16-Aug-2022  
Information

**Correspondence Name and Address:** William Doran 7, St. Marys Road, Ballsbridge, Dublin 4.

**Proposed Development:** Conversion of existing two storey extension (Ref. SD07B/0404) to a one bedroom dwelling with new vehicular driveway to front to serve existing house and relocate existing vehicular driveway to serve new house at front and side.

**Location:** 64, Oatfield Avenue, Clondalkin, Dublin 22

**Applicant Name:** Stephen Proudfoot

**Application Type:** Permission

(EW)

### **Description of Site and Surroundings:**

Site visit: 20/06/2022

Site Area: 0.036 ha

#### Site Description:

The site comprises of a two-storey semi-detached dwelling within an established residential estate. The rear garden area is entirely surrounded by rear gardens of adjacent residential properties. The semi-detached house is located close to the junction of Oatfield Avenue and Wheatfields Grove and is opposite a large area of open space, comprising part of the Collinstown Park. The streetscape of Oatfield Avenue is characterised by semi-detached dwellings of similar form and appearance, set back from the street.

#### **Proposal:**

- Conversion of existing two storey extension (Ref. SD07B/0404) to a one bedroom dwelling with
- new vehicular driveway to front to serve existing house and relocate existing vehicular driveway to serve new house at front and side.

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### **Zoning:**

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

### **Consultations:**

Surface Water Drainage –	Further Information required.
Irish Water –	No objection subject to standard conditions.
Roads Department-	No objection subject to standard conditions.
<i>SEA Sensitivity Screening –</i>	<i>No overlap indicated.</i>

### **Submissions/Observations /Representations**

None for subject application.

### **Relevant Planning History**

*SD11A/0105* - **Refused Permission** for a single storey detached structure in garden at rear for use as Sessional Playschool and all associated site works.

*SD10A/0250* – **Refused Permission** to Construct a Montessori school at the rear of no. 64 for sessional times, 9:30am to 12:30, and 1pm to 4pm.

*SD07B/0404* – **Permission granted** for construction of a two-storey extension to side, single storey extension to front, and single storey extension to rear of the existing dwelling, and installation of four rooflights to the proposed rear extension and two rooflights to the rear and one rooflight to the side elevation of the existing house. Development completed.

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None recorded for subject proposal.

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

#### *Policy H6 Sustainable Communities*

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

#### *Policy H7 Urban Design in Residential Developments*

It is the policy of the Council to ensure that all new residential development within the County is of high-quality design and complies with Government guidance on the design of sustainable

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residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).

#### *Section 2.3.0 Quality of Residential Development*

##### *Policy H11 Residential Design and Layout*

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

##### *Policy H13 Private and Semi-Private Open Space*

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

##### *Policy H14 Internal Residential Accommodation*

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

##### *Policy H15 Privacy and Security*

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

##### **Policy H17 – Residential Consolidation:**

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

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

##### H17 Objective 2:

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

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#### H17 Objective 6:

To support the subdivision of houses in suburban areas that are characterised by exceptionally large houses on relatively extensive sites where population levels are generally falling and which are well served by public transport, subject to the protection of existing residential amenity.

#### Section 2.4.0: Residential Consolidation – Infill, Backland, Subdivision & Corner Sites

##### Policy H17 Residential Consolidation

##### Policy 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.

##### Section 11.2.7 Building Height

##### 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

##### Section 11.3.2 (i) Infill Sites

##### Section 11.3.2 (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,
- 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.

##### (iv) Dwelling Sub-Division and Upper Floors

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Dwelling sub-division and 'over the shop' accommodation should accord with the relevant guidelines and standards contained in this Development Plan relating to apartments and contribute positively to the established character and amenities of the area. The design of 'over the shop' housing should include mitigation measures to address possible sources of external noise. A separate, distinctive point of entry with an identifiable address should also be provided. Dwelling sub-divisions should preserve the established character and amenities of the area.

At the discretion of the Planning Authority and subject to appropriate safeguards to protect residential amenity, reduced internal space, open space and car parking standards may be considered in exceptional circumstances for dwelling subdivisions or 'over the shop' accommodation, subject to compensating amenity features that maintain the residential amenities of the development and/or the area.

*Section 6.4.4 Car Parking*

*Policy TM7 Car Parking*

*Section 11.4.2 Car Parking Standards*

*Table 11.24: Maximum Parking Rates (Residential Development)*

*Section 11.4.3 Car Parking for Electric Vehicles*

*Section 11.4.4 Car Parking Design and Layout*

*Section 11.4.5 Traffic and Transport Assessments*

*Section 7.1.0 Water Supply & Wastewater*

*Policy IE1 Water & Wastewater*

*Section 7.2.0 Surface Water & Groundwater*

*Policy IE2 Surface Water & Groundwater*

*Section 7.3.0 Flood Risk Management*

*Policy IE3 Flood Risk*

*Section 8.0 Green Infrastructure*

*Policy G1 Overarching*

*Policy G1 Green Infrastructure Network*

*Policy G3 Watercourses Network*

*Policy G4 Public Open Space and Landscape Setting*

*Policy G5 Sustainable Urban Drainage Systems*

*Policy G6 New Development in Urban Areas*

*Section 9.3.1 Natura 2000 Sites*

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*Policy HCL12 Natura 2000 Sites*

*Section 11.6.1 (i) Flood Risk Assessment*

*Section 11.6.1 (ii) Surface Water*

*Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)*

*Section 11.6.1 (iv) Groundwater*

*Section 11.6.1 (v) Rainwater Harvesting*

*Section 11.6.1 (vi) Water Services*

*Section 11.7.2 Energy Performance in New Buildings*

*Section 11.8.1 Environmental Impact Assessment*

*Section 11.8.2 Appropriate Assessment*

### **Relevant Government Guidelines**

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

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

***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).***

*'General storage space should be provided on each floor, preferably accessible from circulation areas but not so placed as to encroach on circulation space or to impede free movement.'*

***Urban Development and Building Heights: Guidelines for Planning Authorities, (2018).***

***Design Manual for Urban Roads and Streets, Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport, (2013).***

***Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009)***

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

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*Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice*, Building Research Establishment, (1991).

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity,
- Vehicular entrance,
- Services and drainage and Flood Risk.

### ***Zoning and Council Policy***

The site is located in an area zoned 'RES' '*To protect and/or improve Residential Amenity.*' Residential development is permitted in principle under Zoning Objective 'RES' subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for dwelling sub-division.

The following objectives are noted within the existing South Dublin County Council Development Plan 2016 – 2022; 2.4.0 *Residential Consolidation – Infill, Backland, Subdivision & Corner Sites*:

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 6:

*To support the subdivision of houses in suburban areas that are characterised by exceptionally large houses on relatively extensive sites where population levels are generally falling and which are well served by public transport, subject to the protection of existing residential amenity.*

### ***Residential and Visual Amenity***

#### **Visual Amenity**

It is noted that the proposal is a dwelling for sub-division, and therefore the visual impacts are minimal in this regard. In addition, the proposal would not change the character of the area that faces an open green space to the east. The proposal is located at the southern end of Oatfield Avenue and is moderately visible from the rear gardens of Wheatfields Grove to the west.

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### Proposed Dwellings

The proposed development constitutes the subdivision of an existing dwelling serving a semi-detached two-storey dwelling on a side garden site. Dwelling sub-divisions should preserve the established character and amenities of the area. Although the assessment of this proposal is in context to the current County Development Plan, it is subject to compliance with detailed policy provisions in relation to the design that will be considered below.

### Dwelling size

The proposed one-bedroom dwelling is 81.3m which is above the minimum size of one-bedroom homes as set out in Table 11.20 Minimum Space Standards for Houses in the Development Plan provisions and is acceptable in this context.

### Amenity space

The proposed dwelling provides circa. 50sq.m of private rear open space, the minimum private open space requirement in the County Development Plan is 48sq.m for a one-bedroom house. In this sizeable sub-divided site, the minimum standard is comfortably achieved. Furthermore, the adjoining property (No. 64) on this existing ample site has sufficient rear garden space at 99sq.m. In this context, it is considered that the proposed development would provide adequate residential amenities for future occupants of the three-bed dwelling, which would comply with the Development Plan provisions.

### Rooms sizes

This proposal contains the main bedroom on the entire first floor of the proposed dwelling. In addition, the proposal includes a walk-in wardrobe on the west side of the first floor, giving the whole bedroom space 22sq.m in total. The main bedroom area provides ample space *per the Quality Housing for Sustainable Communities-Best Practice Guidelines*, Department of the Environment, Heritage and Local Government, (2007). The proposal is consistent with the minimum standards that are considered acceptable.

It is noted from the submitted drawing that the walk-in wardrobe could be construed as a second bedroom. However, the Planning Authority has assessed the dwelling as a one-bedroom house only. Therefore, a **condition** shall attach stating that the dwelling shall remain as a one-bedroom dwelling as outlined in the submitted plans.

### Storage

It is noted that adequate 3sq.m storage has not been sufficiently provided for a one-bedroomed dwelling and therefore it is not consistent with the minimum storage standards for houses (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007).

*“General storage space should be provided on each floor, preferably accessible from circulation areas but not so placed as to encroach on circulation space or to impede free movement.”* The



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applicant is requested by **further information** to submit revised drawings that comply with the above minimum storage standards for houses (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007).

### Living/Kitchen dining area

The living room area should reach 11sq.m in a dwelling designed to accommodate one or more persons *per the Quality Housing for Sustainable Communities-Best Practice Guidelines*, Department of the Environment, Heritage and Local Government, (2007). It is noted that the living/dining room reaches 10.54sq.m, which is not sufficient for quality living space. The aggregate living space is also required at 23sq.m; however, this is also not reached with the kitchen reaching 7.25 sq.m. The applicant is requested by **further information** to submit revised drawings that comply with the above minimum house standards (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007).

### Overlooking & Overbearing impact

The proposed dwelling shall not result in any undue overlooking. The proposal was permitted with an existing two storey extension (Ref. SD07B/0404)

### Boundary Treatment

The submitted drawings do not outline how the dwellings will use separated boundary treatments from adjacent sites No. 61 and No. 61A that would comply with Section 11.3.1 Residential (v) Privacy of the South Dublin County Council Development Plan 2016-2022. Therefore, the applicant is requested **further information** to outline the proposed boundary treatment.

Parking is proposed to the front of the existing and proposed dwelling; the applicant proposes to use a shared vehicular entrance; this shall be assessed below by the Roads Department.

## **Vehicular Entrance**

The Roads Department have no objections and state the following:

The proposed new vehicular entrance has a width of 3000mm. The grass verge in front of this proposed entrance contains a utility access cover. The applicant should take any necessary measures to ensure the cover is secure/reinforced for vehicular traffic. There is also a mature tree in the grass verge which should be protected during any construction works.

The following conditions are proposed:

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

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3. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
4. It is noted that there is a utility cover in the vicinity of the proposed access, the applicant shall make any necessary arrangement with the correct utility provider if the proposed works going to impact on these assets.
5. A distance of **600mm** shall be maintained between the footpath and tree located in the grass verge in order to protect the tree.
6. Any gates shall open inwards and not out over the public domain.
7. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

The above conditions will apply in the event of a grant of permission.

#### ***Services & Drainage and Flood Risk***

Water Services has requested Further Information and states the following:

1.1 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

1.2 The applicant is required to submit a revised drawing showing plan & cross sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

- i) At least 5m from any building, public sewer, road boundary or structure.
- ii) Generally, not within 3m of the boundary of the adjoining property.
- iii) Not in such a position that the ground below foundations is likely to be adversely affected.
- iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- v) Soakaways must include an overflow connection to the surface water drainage network.

#### **Conclusion**

Having regard to the reports from the SDCC Water Services Department it is considered that the information is required by Additional Information for clarity on drainage/foul systems proposed. Regarding Irish Water, standard conditions are proposed re connection agreement.

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### ***Screening for Appropriate Assessment***

The subject site is not located within nor within close proximity to a European site. The subject development is located within an established residential area and comprises of a dwelling for sub-division.

Having regard to:

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

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

### ***Environmental Impact Assessment***

Having regard to the modest nature of the retained 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 retained development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### ***Development Contributions***

- Noted from a site visit that work from previous Granted Permission SD07B/0404 has commenced, therefore 40sq.m allowance has been utilised.

### **Development Contributions Assessment Overall Quantum**

Conversion to One Bed Dwelling: 81.3 sq.m  
Assessable Area: 81.3 sq.m

### **SEA Monitoring Information**

Building Use Type Proposed:  
Floor Area: 81.3 sq.m  
Land Type: Brownfield/Urban Consolidation.  
Site Area: 0.036 ha

### **Conclusion**

Having regard to the subdivision of the existing dwelling, it is deemed appropriate to request additional information to ensure the proposed development is compliant with Development Plan policy and the proper planning and sustainable development of the area.

Having regard to the proposed dwelling the Planning Authority has concerns that the development as proposed is not in compliance with the Development Plan policies / (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes

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Sustaining Communities 2007). It is deemed appropriate to afford the applicant an opportunity to address the concerns in relation to design and surface water by Additional Information

### **Recommendation**

#### **Further Information**

Further Information was requested on 27<sup>nd</sup> June 2022

Further Information was received on 16<sup>th</sup> August 2022

### **Consultations:**

Roads – No objections subject to conditions.

Surface water drainage – No reports received.

### **Submissions/Observations**

None received for this application.

The Further Information requested is as follows:

1. Having regard to the proposed new dwelling, the applicant is requested to submit revised drawings that comply with the minimum storage standards for houses (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007).
2. Having regard to the proposed new dwelling, the applicant is requested to submit revised drawings that comply with the minimum Living Room / Aggregate Living Space standards for houses (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007).
3. Having regard to the proposed new dwelling, the applicant is requested to submit revised drawings for the Boundary Treatment that comply with the 11.3.1 Residential (v) Privacy of the South Dublin County Council Development Plan 2016-2022.
4. The applicant is requested to:
  - 1.1 a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
  - 1.2 a revised drawing showing plan & crosssectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
    - i) At least 5m from any building, public sewer, road boundary or structure.
    - ii) Generally, not within 3m of the boundary of the adjoining property.
    - iii) Not in such a position that the ground below foundations is likely to be adversely affected.
    - iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
    - v) Soakaways must include an overflow connection to the surface water drainage network

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5. The applicant is advised that the South Dublin County Development Plan 2022 - 2028 was made by resolution by the Elected Members on June 22nd and will come into effect on August 3rd 2022. In accordance with Section 34 (2) of the Planning and Development Act 2000 (as amended), the Planning Authority will have regard to the South Dublin County Development Plan 2022-2028 as the development plan for the area when making decisions in relation to applications from August 3rd 2022.  
In this context, the applicant is requested to provide a report demonstrating that the proposed development is in accordance with the South Dublin County Development Plan 2022-2028.

### ***Item 1***

Having regard to the proposed new dwelling, the applicant is requested to submit revised drawings that comply with the minimum storage standards for houses (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007).

#### Assessment

The applicant has submitted a cover letter and drawings from *William Doran Planning & Project Management Consultant, Land & Property Surveys*. dated the 22nd of July 2022.

In response to the AI request, the applicant has submitted drawings titled 'Further Information' Dwg Ref 6922-02'.

The applicant has now demonstrated the proposal in the context of the (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007). The minimum storage standards for a one bedroom house has been achieved and exceeded and this is now considered acceptable.

### ***Item 2***

Having regard to the proposed new dwelling, the applicant is requested to submit revised drawings that comply with the minimum Living Room / Aggregate Living Space standards for houses (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007).

#### Assessment

In response to the AI request, the applicant has submitted drawings titled 'Further Information' Dwg Ref 6922-02'.

The applicant has now demonstrated the proposal in the context of the (Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007). The minimum Living Room / Aggregate Living Space standards for a one bedroom house has been achieved and exceeded and this is now considered acceptable.

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### ***Item 3***

Having regard to the proposed new dwelling, the applicant is requested to submit revised drawings for the Boundary Treatment that comply with the 11.3.1 Residential (v) Privacy of the South Dublin County Council Development Plan 2016-2022.

### **Assessment**

In response to the AI request, the applicant has submitted drawings titled 'Further Information' Dwg Ref 6922-02'. The applicant has outlined the proposed boundary line between No's 64A and 64 and outlined in the cover letter and drawings from *William Doran Planning & Project Management Consultant, Land & Property Surveys* that the dwellings have demonstrated under 13.5.4 Residential Standards /

Private Space of the current South Dublin County Council Development Plan 2022-2028 that:

*'While private and communal amenity space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a 'privacy strip' between the two.*

The applicant has stated the exact boundary treatment however in this instant it is deemed that the applicant has set clear distinctions between both properties.

The Roads Department Report states no objection subject to conditions as follows:

*The proposed new vehicular entrance has a width of 3000mm. The grass verge in front of this proposed entrance contains a utility access cover. The applicant should take any necessary measures to ensure the cover is secure/reinforced for vehicular traffic. There is also a mature tree in the grass verge which should be protected during any construction works.*

### **Roads conditions:**

1. The existing and proposed vehicular access points shall be limited to a width of 3.5 meters.
2. The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
3. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
4. It is noted that there is a utility cover in the vicinity of the proposed access, the applicant shall make any necessary arrangement with the correct utility provider if the proposed works going to impact on these assets.

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5. A distance of 600mm shall be maintained between the footpath and tree located in the grass verge in order to protect the tree.
6. Any gates shall open inwards and not out over the public domain.
7. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

The applicant is deemed to have broadly complied with the 13.5.4 Residential Standards / Private Space of the current South Dublin County Council Development Plan 2022-2028, this is now considered acceptable.

#### **Item 4**

The applicant is requested to:

- 1.1 a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
- 1.2 a revised drawing showing plan & crosssectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
  - i) At least 5m from any building, public sewer, road boundary or structure.
  - ii) Generally, not within 3m of the boundary of the adjoining property.
  - iii) Not in such a position that the ground below foundations is likely to be adversely affected.
  - iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
  - v) Soakaways must include an overflow connection to the surface water drainage network

#### Assessment

1.1 The applicant has submitted a site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design by '*Percolation Tests.ie / Planning Assessments and Land Surveys*' dated 11<sup>th</sup> July 2022.

1.2 The applicant has submitted a revised drawing drawings titled '*Further Information*' Dwg Ref 6922-02 'showing plan & crosssectional views, dimensions, and location of proposed soakaway located fully within the curtilage of the property.

Noted from the BRE Digest 365 report, is *the soakpit is located a min of 5m away from any dwelling and 3m from any boundary. The soakpit shall include an overflow to the existing SW drainage. Water butts shall be included at the base of all proposed downpipe in compliance with Suds.*

No report was received from the Surface Water Drainage Department, however the applicant is deemed to have complied with requirements of Item 4 - Surface Water Drainage and the requirements of the current South Dublin County Council Development Plan 2022-2028, this is now considered acceptable.

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### ***Item 5***

The applicant is advised that the South Dublin County Development Plan 2022 - 2028 was made by resolution by the Elected Members on June 22nd and will come into effect on August 3rd 2022. In accordance with Section 34 (2) of the Planning and Development Act 2000 (as amended), the Planning Authority will have regard to the South Dublin County Development Plan 2022-2028 as the development plan for the area when making decisions in relation to applications from August 3rd 2022.

In this context, the applicant is requested to provide a report demonstrating that the proposed development is in accordance with the South Dublin County Development Plan 2022-2028.

### Assessment

#### ***Zoning and Council Policy***

The development comprising of a residential dwelling is 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.

All the above requirements were assessed under the South Dublin County Development Plan 2022-2028 as follows:

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

#### *Chapter 6 Housing*

#### *Section 6.8 Residential Consolidation in Urban Areas*

#### *Policy H9 Private and Semi-Private Open Space*

#### *Policy H11 Privacy and Security*

#### *H11 Objective 2*

*To ensure that all developments are designed to provide street frontage and to maximise surveillance of streets and the public realm.*

#### *Policy H13 Residential Consolidation*

#### *H13 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 12: Implementation and Monitoring.*

#### *H13 Objective 5*

*To ensure that new development in established areas does not unduly impact on the amenities or character of an area.*



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#### *Chapter 7 Sustainable Movement*

##### *Section 7.10 Car Parking*

##### *Policy SM7 Car Parking and EV Charging*

##### *SM7 Objective 1 Maximum car parking standards*

#### *Chapter 8 Community Infrastructure and Open Space*

##### *Section 8.7.5 Quality of Public Open Space*

##### *Policy COS5 Objective 16*

*To ensure that parks and public open spaces are carefully designed as safe spaces, by implementing the following measures:*

- Providing active frontages and maximising passive surveillance from adjacent housing and / or public thoroughfares;*
- Eliminating buildings which back-on or gable-front public open spaces;*
- Designing corner units with active frontage;*
- Encouraging increased use through improved access and quality of facilities';*
- Careful location, design and choice of surface materials and site furniture.*

#### *Chapter 10 Energy*

##### *Section 10.2 Energy Measures*

##### *Policy E3 Energy Performance in Existing and New Buildings*

#### *Chapter 12 Implementation & Monitoring*

##### *Section 12.3 Natural, Cultural and Built Heritage*

##### *Section 12.3.1 Appropriate Assessment*

##### *Section 12.3.3 Environmental Impact Assessment*

##### *Section 12.6.7 Residential Standards*

##### *(i) Housing*

##### *Table 12.20 Minimum Standards for Housing*

#### *Chapter 3 Natural, Cultural and Built Heritage*

##### *Policy NCBH3 Natura 2000 Sites*

##### *NCBH3 Objective 3 (Appropriate Assessment)*

#### *Chapter 4 Green Infrastructure*

##### *Policy GII Overarching*

*GII 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.*

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#### *Policy GI2 Biodiversity*

*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.*

#### *Policy GI4 Sustainable Drainage Systems*

*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.*

#### **Corner/ Side Garden Sites**

Development on corner and/or side garden sites should be innovative in design appropriate to its context and should meet the following criteria:

- In line with Policy 15: Residential Extensions, the site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings ensuring no adverse impacts occur on the residential amenity of adjoining dwellings,
- Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain.
- The dwelling(s) should generally be designed and sited to match the front building line and respond to the roof profile of adjoining dwellings where possible. Proposals for buildings which project forward or behind the prevailing front building line, should incorporate transitional elements into the design to promote a sense of integration with adjoining buildings.
- The architectural language of the development (including boundary treatments) should generally 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.
- A relaxation in the quantum of private open space may be considered on a case by-case basis whereby a reduction of up to a maximum of 10% is allowed, where a development proposal meets all other relevant standards and can demonstrate how the proposed open space provision is of a high standard i.e., an advantageous orientation, shape and functionality.
- Any provision of open space to the side of dwellings will only be considered as part of the overall private open space provision where it is useable, good quality space. Narrow strips of open space to side of dwellings shall not be considered as private amenity space.

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### ***Backland Development***

The design of development on backland sites should meet the criteria for infill development in addition to the following criteria:

- Be guided by a site analysis process in regard to the scale, siting and layout of development.
- Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area.
- Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking.
- Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.

### ***Green Infrastructure***

The proposal is not overlapping with a Primary GI or Secondary GI Corridor and incorporating GI as an integral part of the design and layout concept for the One Bedroom Dwelling is not considered feasible for the subject proposal.

The applicant has integrated Suds Drainage, and Water butts features are included within the application and protection of the street tree is in place under Roads condition 5:

*A distance of **600mm** shall be maintained between the footpath and the tree located on the grass verge in order to protect the tree.*

In this context, the applicant has demonstrated that the proposed development is in accordance with the South Dublin County Development Plan 2022-2028.

### **Conclusion**

The Planning Authority considers that the proposal is now consistent with the requirements of the County Development Plan 2022-2028 in respect of a one-bedroom dwelling. Therefore, the proposed design is deemed to be acceptable. Accordingly, a grant of planning permission is recommended.

### ***Screening for Appropriate Assessment***

The subject site is not located within nor within close proximity to a European site. The subject development is located within an established residential area and comprises of a dwelling for sub-division.

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,

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

### ***Environmental Impact Assessment***

Having regard to the modest nature of the retained 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 retained 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**

<b>Development Contributions</b>	
<b>Planning Reference Number</b>	SD22A/0131
<b>Summary of permission granted &amp; relevant notes:</b>	Residential Dwelling - 81.3sqm.
<b>Are any exemptions applicable?</b>	No
<b>If yes, please specify:</b>	
<b>Is development commercial or residential?</b>	Residential
<b>Standard rate applicable to development:</b>	104.49
<b>% Reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€104.49
<b>Area of Development (m2)</b>	81.3
<b>Amount of Floor area, if any, exempt (m2)</b>	0
<b>Total area to which development contribution applies (m2)</b>	81.3
<b>Total development contribution due</b>	€8,495.04

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### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan and to the subdivision of the existing dwelling, it is deemed the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, in this instance, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

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

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 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 to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 16th August 2022, 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. Use.  
The use of the development for residential purposes shall be restricted to a one-bedroomed residential dwelling in accordance with the plans, particulars and specifications lodged with the application. It shall not be used as a two-bedroom dwelling.  
REASON: In the interests of proper planning and sustainable development of the area.
3. (a) External Finishes.  
All changes to the external finishes arising from this development shall harmonise in colour or texture that is complementary to the house or its context.  
REASON: In the interest of visual amenity.  
(b) Irish Water.  
(i) Water - Prior to the commencement of development the applicant or developer shall

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enter into water connection agreement(s) with Irish Water.

(ii) Foul - Prior to the commencement of development the applicant or developer shall enter into waste water connection agreement(s) with Irish Water.

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

(c) Surface Water.

(i) The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section.

(ii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

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

(d) Minimise Air Blown Dust.

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

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

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

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

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The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

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

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

#### 4. Roads.

1. The existing and proposed vehicular access points shall be limited to a width of 3.5 meters.
2. The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
3. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
4. It is noted that there is a utility cover in the vicinity of the proposed access, the applicant shall make any necessary arrangement with the correct utility provider if the proposed works going to impact on these assets.
5. A distance of 600mm shall be maintained between the footpath and tree located in the grass verge in order to protect the tree.
6. Any gates shall open inwards and not out over the public domain.
7. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

REASON: In the interests of public health, the proper planning and sustainable development of the area.

#### 5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €8,495.03 (Eight thousand, four hundred and ninety five euro and three cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended). The contributions under the Scheme shall be payable prior to commencement of

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development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

**REASON:** The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

**NOTE RE: CONDITION** - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing [customerservice@water.ie](mailto:customerservice@water.ie).

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

**NOTE:** The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

**NOTE:** 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; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.



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**REG. REF. SD22A/0131**

**LOCATION: 64, Oatfield Avenue, Clondalkin, Dublin 22**



**Sarah Watson,  
Executive Planner**

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

**Date:**

9/09/22

  
**Gormla O'Corrain, Senior Planner**