

Comhairle Chontae Atha Cliath Theas

PR/1156/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0232 **Application Date:** 25-May-2022
Submission Type: Additional **Registration Date:** 17-Aug-2022
Information
Correspondence Name and Address: Matt Barnes 'Coolamber', Stocking Lane,
Ballyboden, Dublin 16.
Proposed Development: 2m high front garden boundary wall
Location: 1, Fortfield Road, Dublin 6
Applicant Name: David Hannon
Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area:

0.032 Hectares as stated per application.

Site Description:

The site contains a two-storey detached dwelling with hipped roof on a busy corner crossroads junction with Kimmage Road West. There is a service station located to the east of the subject site which increases the number of junctions at this location. The area is characterised by similar type dwellings in terms of scale and design with a mainly uniform building line.

Proposal:

The proposed development comprises of the following:

- 2 metre high front boundary wall to section of front boundary.
- 2 metre high front/side boundary wall.
- 2 metre high timber fence in front garden alongside building line.
- Increase in rear boundary wall height from 1.7m to 2.0m.
- Proposed works measure 0sq.m.

Zoning:

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

Consultations:

Roads Department – **Additional Information** or **conditions** to be attached if granted.
Irish Water – No report received

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Surface Water Drainage – No report received

SEA Sensitivity Screening

Indicates overlap with the following:

- SFRA A 2016.
- SFRA B 2016.
- Record of Monuments and Places 2016

Submissions/Observations /Representations

None.

Relevant Planning History

None recorded for subject site.

Relevant Enforcement History

None recorded for the subject site

Pre-Planning Consultation

No Pre-Planning consultation was held concerning this application

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy H18 Objective 2:

To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 2.5.8 Rural House & Extension Design

Policy H27 Rural House & Extension Design

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

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Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

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 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

Relevant Government Guidelines

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

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

Assessment

The main issues for the assessment are:

- Zoning and Council Policy
- Residential & Visual Amenity
- Access & Parking
- Screening for Appropriate Assessment (AA)
- Screening for Environment Impact Assessment (EIAR)

Zoning and Council Policy

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity.' The proposed development is permitted in principle subject to its accordance with the relevant provisions in the Development Plan.

Residential & Visual Amenity

2m high front garden boundary wall

The proposal seeks permission for the raising of part of a front boundary wall and all of the front/side boundary wall to 2 metres. The proposal also seeks permission for the raising of the rear boundary wall from 1.7m to 2.0m. The existing front boundary wall has a height of c.1m and the existing side boundary wall has a height of c.0.7m. Part of the front boundary wall will be raised to 2m where the wall will project north of the side building line of the existing dwelling. A 2m high timber fence is also proposed in the front garden in line with the side building line of the existing dwelling.

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From a visual amenity perspective and vehicular sight lines, the increase in boundary height **beyond the front building line** of the existing dwelling would not be acceptable. It would have an adverse impact on traffic safety as appropriate visibility splay would not be achieved for vehicles to safely access and egress from the site. Therefore, the proposed increase in height of part of the front boundary wall and the proposed timber fence in the front garden would not be acceptable. This is discussed in further detail in the Access & Parking Section of this report. However, the proposed increasing of the side boundary from c.0.7m to c.2m **from behind the main front building line** may be acceptable. The proposed increase in rear boundary wall height from 1.7m to 2.0m would be acceptable.

As there are 2 no. windows located at first floor level on the side elevation (north) of the existing dwelling the proposed increase in height of the side boundary wall behind the main front building line will not have a significant adverse impact on the passive surveillance of the public realm and would visually accord with the character of the area.

To address the above, it is considered appropriate that the applicant submits revised plans and elevations by way of **additional information** clearly showing for the omission of any increase in boundary height from beyond the main front building line of the existing dwelling. This would require the omission of part of the front boundary wall, all of the timber fence and the side wall where it projects beyond the main front building line of the existing dwelling.

Access & Parking

A report was received from the Roads Department recommending additional information be requested or **conditions** be attached in the event of a grant. An extract taken from the Roads report states the following:

Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

Description:

2m high front garden boundary wall

Additional Information:

The applicant is requested to submit accurate plans demonstrating the provision of a visibility splay of 2.0m x 45m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right-hand side of entrance and to the centreline of the road to the left-hand side of the entrance (when exiting).

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No Roads objections subject to the following conditions:

1. 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.

Notwithstanding the Roads report it is considered that to comply with DMURS (4.4.5 Visibility Splay, 4.4.4 Forward Visibility) the provision of a visibility splay of 2.0m x 45m in both directions should be taken from a point 2 metres from **behind** the entrance to allow for the approximate length of a car bonnet and to ensure that any egressing vehicle does not encroach on the footpath before pedestrians can be observed. With this criteria applied to the situation at hand whereby a 2 metre high boundary will be constructed in part of the front garden, along the side/front garden and also considering a 2m high timber fence will be construction (not in description of works but attached below) in the front garden in line with the side building line of the dwelling this will not allow for any form of visibility and would not comply with DMURS (4.4.5 Visibility Splay and 4.4.4 Forward Visibility) and would endanger public safety by reason of a traffic hazard.

However, as discussed, the proposed increasing of the side boundary from c.0.7m to c.2m **from behind the main front building line** would be likely to be acceptable in terms of appropriate sight lines and visibility splay and the proposed increase in rear boundary wall height from 1.7m to 2.0m would be acceptable.

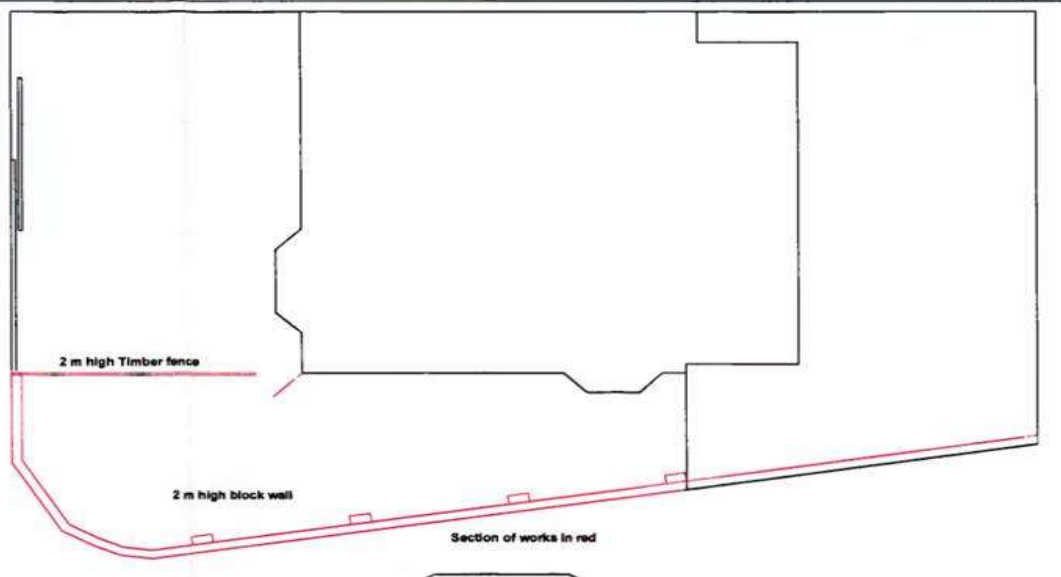
To address the above, it is considered appropriate that the applicant submits revised plans and elevations by way of **additional information** clearly showing for the omission of any increase in boundary height beyond the main front building line of the existing dwelling. This would require the omission of part of the front boundary wall, timber fence and the side wall where it projects beyond the main front building line of the existing dwelling. This further information should also show adequate sight lines for vehicles exiting the site are maintained.

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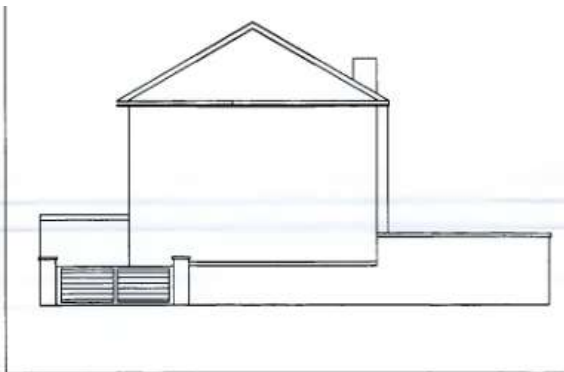
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Proposed Boundary Treatment Plan



Proposed Boundary Treatment Front Elevation



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Proposed Boundary Treatment Side Elevation



Services & Drainage

Although no reports were received from Surface Water Drainage or Irish Water it is considered appropriate to attach standard drainage conditions in the event of a grant.

Screening for Appropriate Assessment (AA)

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of a house extension. 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.

Screening for Environmental Impact Assessment (EIAR)

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

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Other Considerations

Development Contributions

- Proposed raising of boundary wall height.
- No previous extension.
- Assessable area is nil.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Boundary wall	0
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.32

Conclusion

To address the above, it is considered appropriate that the applicant submits revised plans and elevations by way of **additional information** clearly showing for the omission of any increase in boundary height from beyond the main front building line of the existing dwelling. This would require the omission of the increase in height of part of the front boundary wall, all of the timber fence and the side wall where it projects beyond the main front building line of the existing dwelling.

Recommendation

Request Further Information.

Further Information

- Further Information was requested on 19/07/2022.
- Further Information was received on 17/08/2022.

No submissions/observations on the further information have been made.

Further information

The following Further Information was requested.

Item 1: Boundary

The applicant is requested to submit a revised plan and elevations clearly showing for the omission of any increase in boundary height beyond the main front building line of the existing dwelling. This would require the omission of the increase in height of part of the front boundary wall, all of the timber fence in the front garden in line with the side building line and the side wall where it projects beyond the main front building line of the existing dwelling. The proposed increasing of the side boundary from c.0.7m to c.2m from behind the main front building line

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would be likely to be acceptable in terms of appropriate sight lines and visibility splay. The proposed increase in rear boundary wall height from 1.7m to 2.0m would be acceptable. The applicant is requested to liaise with SDCC Roads Department to ensure acceptable sightlines.

Further Consultations

Roads Department – No objection subject to **conditions**.

Further Submissions/Observations

None received.

Assessment

Item 1: Roof Profile & Obscure Glazing

(a). The applicant has submitted a cover letter, revised plan and revised elevation drawings in an attempt to address the request for additional information. The revised drawings submitted show that there will only be a limited increase in boundary height beyond the main front building line of the existing dwelling whereby the height will be no greater than 1.2m. The applicants letter also states that Roads Department were consulted and confirmed that the existing sight lines would be respected. An extract taken from the cover letter submitted states the following:

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Planning Department
South County Dublin
County Hall
Tallaght
Dublin 24

Re Property : SD22B/0232: New front wall at 1 Fortfield Road, Dublin 6W
Ref : 2617
Date : 20.7.2022

Dear Sir/Madam,

Further to the request for additional information on 19.7.2022 I confirm the following:

The attached drawing 2617-12-A indicates the 2m wall stopping in line with the front wall of the house.

I consulted with the roads department and confirmed that the existing sight lines would be respected.

Best regards


Matt Barnes

CC David Hannon



The Roads Department reviewed the additional information submitted and issued a report recommending no objections subject to **conditions**. An extract taken from the Roads report states the following:

The applicant has submitted drawings detailing the new wall will not be raised beyond the front elevation of the property. The boundary along the front will be reduced to 0.9m. Roads are satisfied with the submission.

- 1. Any gates shall open inwards and not out over the public domain.*
- 1. 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.*

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The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item. It is considered appropriate to attach condition no. 1 only in the event of a grant as condition no. 2 is not considered to be enforceable.

Other Considerations

Development Contributions

- Proposed raising of boundary wall height.
- No previous extension.
- Assessable area is nil.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Boundary wall	0
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.32

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

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.

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SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application as amended by further information submitted on 17/08/2022, 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. 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.
3. Construction Noise and Hours.
To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.
Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).
The applicant or developer shall also endeavour to engage in local consultation in respect 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:

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- 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. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of 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.

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.

5. Roads Requirements.

Any gates shall open inwards and not out over the public domain.

Reason: In the interest of proper roads planning and proper planning and sustainable 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: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

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REG. REF. SD22B/0232


LOCATION: 1, Fortfield Road, Dublin 6



Jim Johnston,
Senior Executive Planner

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

Date: 13/09/22



Gormla O'Corrain, Senior Planner