

SOUTH DUBLIN COUNTY COUNCIL



INTERNAL MEMORANDUM

Public Realm Planning Report

Development: The proposed development will consist of:
(1) Conversion of existing garage to living space. (2) A first floor side extension above the existing structure. (3) A redesigned porch/entrance. (4) A ground floor extension to the rear. (5) A redesigned front boundary wall and all associated site works.

Location: 22, Old Bawn Park, Dublin 24. D24 VH9D.

Applicant: Emlyn Brennan & Anita Berney

Reg. Ref: SD22B/0372

Report Date: 04/10/2022

Planning Officer: Ciaran Stanley

Recommendation: **GRANT WITH CONDITIONS**

Statutory Local Policy

South Dublin County Development Plan, 2022-2028

Section 3.3.6 Protection of Trees and Hedgerows

Policy NCBH11

Section 3.4.3 Landscapes

Policy NCBH14

Section 4.0.1 GI and Climate Action

Policy GI1: Overarching

Section 4.2.1. Biodiversity

Policy GI2: Biodiversity

Section 4.2.2. Sustainable Water Management

Policy GI3: Sustainable Water Management

Policy GI4: Sustainable Drainage Systems

POLICY GI5: Climate Resilience

SECTION 4.2.4 Recreation and Amenity (Human Health and Wellbeing)

Policy GI6

Section 4.2.5 Landscape, Natural, Cultural and Built Heritage

Policy GI7

Section 8.7.1 Principles guiding public open space provision

Policy COS5: Parks and Public Open Space – Overarching

Section 8.7.4 Delivery of Public Open Space and Contributions in Lieu

Section 8.7.5 Quality of Public Open Space

Section 8.7.6 Play Facilities

Section 12.4.3 Riparian Corridors

South Dublin County Council's Tree Management Policy "Living with Trees" 2021-2026

The overall aims of the Tree Management Policy are to ensure the safety of Council trees, maintain and encourage biodiversity, maintain and improve landscape quality, and through these elements, improve the quality of life for residents and visitors to South Dublin now and in the future. This will be achieved by

- ensuring that the Council has a clear programme of tree maintenance, management and planting;
- maintaining and improving the tree canopy cover for the future;
- appropriate siting and species selections for all new trees;
- promoting the importance of trees in shaping the distinctive local character and appearance of South Dublin's urban landscape; recognizing the significant aesthetic, landmark, ecological, social and economic value that trees provide;
- effectively communicating, educating and engaging with the local community on trees and their importance;
- allocating sufficient resources to allow for best practice tree management
- providing clarity over why decisions and actions are taken;
- balancing the risk and nuisance to persons and property against the other aims; and recognising the value of trees as a tangible asset.

The main objectives of the Tree Management Policy are as follows:

1. To continue to implement a proactive tree management programme.
2. To expand the tree canopy in the County.
3. To implement a public awareness and education program

COMMENTS:

In relation to the above proposed development, this section has reviewed the application and has the following comments.

Protection of Existing Street Tree

The Public Realm Section would have some concerns regarding the proximity of the proposed works to facilitate the widening of the existing driveway entrance and the potential impacts on the existing street tree and its roots. The proposed area (grass margin) to be ditched in order to accommodate the widening of the existing entrance should be reduced to the minimum area possible in order to avoid any potential damage to the tree roots in addition in order to ensure the protection of the existing street trees in the adjacent grass margin, suitable tree protection fencing must be erected prior to all construction operations occurring on site. Ideally an exclusion zone of a minimum of 3 meters should be created with fencing around the base of the tree in order to minimise the impact of any proposed construction/excavations works in the grass margin. Prior to commencing any construction on site, protective fencing should be erected around the street tree to form an exclusion zone. This tree protection fencing must be in accordance with BS 5837: 2012.

The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2022-2028 and with best practice guidelines and recommends the following:

1. Tree Bond

Prior to the submission of the Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site, a Bond or bank draft to the value of €1,500 shall be lodged with the Planning Authority as a security for the protection of the existing street tree in the grassed margin to the side of the site during the course of the development works.

The release of the bond will be considered a minimum 12 months after the completion of all site works, at the discretion of the Landscape/Public Realm Section. This will involve assessment of whether the trees specified for retention have been preserved in their prior condition and have suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection. **CONDITION**

REASON: In the interest of the proper planning and sustainable development of the area, street-tree protection, and the maintenance of the county's green infrastructure.

2. Protection of Street Tree in Grass Margin

In order to ensure the protection of the existing street, prior to commencing any construction on site, protective fencing should be erected around the street tree to form an exclusion zone. This tree protection fencing must be in accordance with BS 5837: 2012. The protective fencing is to coincide, as far as is practical, with the root protection area (RPA), unless otherwise agreed. All weather notices shall be securely fixed to the fence with words such as 'construction exclusion zone - no access'. The following measures are particularly important:

- (i) Materials are never to be stacked within the root spread of the tree.
- (ii) No oil, tar, bitumen, cement or other material is to be allowed to contaminate the ground.
- (iii) Trees to be retained should not be used as anchorages for equipment or for removing stumps, roots or other trees, or for other purposes;
- (iv) No notices, telephone cables or other services should be attached to any part of the tree.
- (v) Cement mixing should not be carried out within the canopy/protected area of the tree.
- (vi) Soil levels are to be maintained as existing within the root spread of the tree. Any alteration to soil levels in an area up to one and a half times the diameter of the tree.

REASON: To ensure the safety and well-being of the trees on and adjacent to the subject site that are to remain after building works are completed, in accordance with relevant policies of the CDP 2022-2028.

Prepared by Oisín Egan

Executive Parks Superintendent

Endorsed By: Laurence Colleran

Senior Executive Parks Superintendent