

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0361 **Application Date:** 22-Dec-2021
Submission Type: Additional **Registration Date:** 26-Oct-2022
Information

Correspondence Name and Address: Eric Wienand, CEA Architects Unit 7 Block E,
Nutgrove Office Park, Rathfarnham, Dublin 14

Proposed Development: 3 bedroom, double storey end of terrace house and all
new service connections ancillary to the
development.

Location: 24, Tara Hill Road, Rathfarnham, Dublin 14.

Applicant Name: Siobhan Allen

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.0178 hectares

Site Description:

The application site consists of the side garden of a flat roof, two storey, semi-detached/end-of-terrace house, located on Tara Hill Road in a cul-de-sac of similar dwellings. The surrounding area is residential in nature and forms part of the St Patrick's Cottages, Grange Road, Rathfarnham Architectural Conservation Area (ACA).

Site visited:

31 January 2022

Proposal:

Permission is sought for the following:

- Construction of a three-bedroom, 2-storey semi-detached/end-of-terrace house with a flat roof (96.2sq.m) and all associated site works and services.

Zoning:

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*.

SEA Sensitivity Screening

The subject site is located within the St Patrick's Cottages, Grange Road, Rathfarnham Architectural Conservation Area (ACA). The site overlaps with SFRA A 2016.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

Consultations:

Architectural Conservation Officer – Further information recommended
Roads – Further information recommended
Parks - No objection
Surface Water Drainage – Further information recommended
Irish Water – No objection, conditions recommended

Submissions/Observations /Representations

Submission expiry date – 03/02/2022
No submissions or observations received.

Relevant Planning History

SD06A/0536: Permission granted for construction of a three-bedroom, 2-storey house (103.2sqm) in side garden with vehicular access.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

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

Policy H17 Residential Consolidation

Policy 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.

Policy H17 Objective 5:

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

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

Type of Unit	Houses	Private Open Space
<i>One Bedroom</i>	<i>50sq.m</i>	<i>48sq.m</i>
<i>Two Bedroom</i>	<i>80sq.m</i>	<i>55sq.m</i>
<i>Three Bedroom</i>	<i>92sq.m</i>	<i>60sq.m</i>
<i>Four Bedroom or more</i>	<i>110sq.m</i>	<i>70sq.m</i>

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

(i) Infill Sites

Development on infill sites should meet the following criteria:

- *Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.*
- *A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.*
- *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.*
- *Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).*
- *Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops.*
- *Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.*

(ii) Corner/Side Garden Sites

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

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

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

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.*

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.

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 11.4.4 Car Parking Design and Layout

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

Chapter 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

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

Chapter 9 Heritage, Conservation and Landscapes

Section 9.1.3 Architectural Conservation Areas

HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 4 Architectural Conservation Areas

It is the policy of the Council to preserve and enhance the historic character and visual setting of Architectural Conservation Areas and to carefully consider any proposals for development that would affect the special value of such areas.

HCL4 Objective 2

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.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018
Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.

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).

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).

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

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Architectural Conservation
- Roads
- Public Realm
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*. Residential dwellings are 'Permitted in Principle' under this zoning objective.

The subject site is located within the Architectural Conservation Area of St. Patricks Cottages. The Tara Hill houses were built in the 1960s as infill local authority housing and forms part of the ACA.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 4 Architectural Conservation Areas states *'it is the policy of the Council to preserve and enhance the historic character and visual setting of Architectural Conservation Areas and to carefully consider any proposals for development that would affect the special value of such areas.'*

HCL4 Objective 2 states it is an objective of the Council *'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.'*

The proposed development has been designed to be similar in proportions and overall style to the dwellings in the ACA and it is not considered that the principle of the development would affect the special value of the area.

Residential and Visual Amenity

The proposal is for construction of a semi-detached/end-of-terrace, flat roof, three-bedroom, 2-storey house with in curtilage parking and rear garden.

Internal Accommodation

The Quality Housing for Sustainable Communities Guidelines state that double bedrooms should be a minimum of 11.4sq.m, with main bedrooms being a minimum of 13sq.m. The property would provide 3 bedrooms, 13.4sq.m, 11.5sq.m and 7.5sq.m in size, therefore providing 2 double bedrooms and 1 single bedroom. The table below compares the accommodation provided against the requirements of the SDCC Development Plan and the Guidelines.

	Target gross floor area	Aggregate living area	Aggregate bedroom area	Storage	Private Open Space
Guidelines	92sq.m	34sq.m	32sq.m	5sq.m	-
Dev't Plan	92sq.m	-	-	-	60sq.m
Proposed	96.2sq.m	35.9sq.m	32.4sq.m	2.9sq.m*	52sq.m

* It is noted that a hot press (0.5sq.m) and utility/store (4.2sq.m) are provided however, these are not considered designate storage spaces and therefore have not been included in this figure.

It is considered that the property would generally provide living accommodation that complies with the Development Plan and Guideline standards. It is noted that storage does not meet the Guideline's requirements however, as noted, there is a utility/storage room that may be able to provide additional storage, though has not been counted towards the storage provision.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

External

The dwelling would maintain the front building line, roof line and width of existing dwellings in the terrace. Materials proposed are considered acceptable.

Fenestration on the front (east) and rear (west) elevations would differ to the style predominant in the cul-de-sac. It is noted that a condition was applied to SD06A/0536 stating *'front and rear elevations including fenestration shall match existing terrace of houses in design, finish and materials.'* It is considered that the applicant should be requested to submit **additional information**, revising the fenestration on the front and first floor rear elevation to match the style of neighbouring properties.

The applicant states on drawings that a rear garden of 52sq.m, approximately 42sq.m of which would be located behind the rear building line of the dwelling. While the Development Plan states 3-bedroom houses should have rear gardens no less than 60sqm, Section 11.3.2 (i) states reduced open space provision may be considered for infill development, subject to appropriate safeguards. In this respect, it is noted that dwellings along Tara Hill Road generally have rear gardens of approximately 50 sqm, meaning the proposed garden size would be typical for dwellings in the area. The private open space provision is therefore considered acceptable in this instance. A **condition** should be attached to any grant of permission removing exempted development rights, requiring any future extensions to have planning permission.

Based on the above, the proposed development is considered acceptable in principle. **Additional information** should be sought to ensure proposed fenestration matches the rest of the terrace, in the interests of visual amenity.

Architectural Conservation

Consultation has been undertaken with the SDCC Architectural Conservation Officer who, in email correspondence, states that *'having assessed the proposals the principle of a new dwelling at this location is considered acceptable. It is considered that although the form and scale of the proposed new dwelling follows the adjoining properties and is in keeping with the flat roofed proposed. However the new dwelling lacks the characteristic design elements of the existing 1960s houses i.e. tear-drop window detail at first floor level and the vertical section corrugated material, which provides these houses with a level of architectural detail and interest.'*

The ACO recommends that additional information should be sought as follows:

- The applicant should therefore be requested to provide a revised design to include such design elements and include revised elevation drawings showing tear-drop windows and an emphasised vertical corrugated panel. This could be provided in a contemporary manner to clearly identify this as a new addition to the terrace but it should follow the same design principles.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

- A design rationale and brief architectural impact assessment/statement should be provided given the location of the proposed development within an ACA.

Given the sites location at a prominent corner site within the ACA, it is considered appropriate to request the recommended **additional information**.

Roads

The Roads Department has reviewed the application and have recommended **additional information** is sought as follows:

1. *A revised layout of not less than 1:100 scale, showing provision of on-curtilage parking spaces for both existing and proposed properties along with the location and dimensions of both proposed vehicular access points limited to a width of 3.5 metres, boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*

The applicant should be requested to submit the recommended **additional information**, to ensure adequate safe parking is provided for both properties.

Public Realm

The Public Realm Department has reviewed the application and has stated no objection. The Report does not recommend the need for any conditions.

Services, Drainage and the Environment

Water Services has reviewed the application and has recommended **further information** be sought as follows:

Surface Water

- 1.1 *The applicant has stated their intention to use a soakaway in their application form. However, 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 if their intention is to use a soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*
 - *At least 5m from any building, public sewer, road boundary or structure.*
 - *Generally, not within 3m of the boundary of the adjoining property.*
 - *Not in such a position that the ground below foundations is likely to be adversely affected.*
 - *10m from any sewage treatment percolation area and from any watercourse / floodplain.*

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

- *Soakaways must include an overflow connection to the surface water drainage network.*
- 1.1 *The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is required to submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. The applicant shall include SuDS features for the proposed development such as but not limited to the following:*
 - *Permeable Paving*
 - *Grasscrete*
 - *Green Roofs*
 - *Planter Boxes*
 - *Tree Pits*

Flood Risk

- 2.1 *The proposed development site is located within the river Dodders flood catchment according to OPW's (Office of Public Works) CFRAM maps. The site is at risk from a 1 in 100 year (1%) AEP flooding event. The applicant is required to submit a site-specific flood risk assessment report with the inclusion of a justification test in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report shall outline details of the measures and design features to prevent or mitigate the risk of flooding to the proposed development and to adjoining lands. Finished floor levels shall be a minimum of 500 mm above the highest know flood level for the site.*

It is considered that this **further information** should be requested to ensure the inclusion of sufficient SuDS features for the development and necessary flood risk mitigation.

Irish Water has reviewed the application and stated no objection subject to **conditions**, recommended as follows:

1. *Water*

Where the applicant proposes to connect to a public water network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

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

2. *Foul*

The applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

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

It is considered appropriate to attach the recommended **conditions** in the event of a grant.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 sites, it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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.

Conclusion

The applicant should be requested to submit **additional information** in relation to the following:

- Revised elevation drawings showing tear-drop windows and an emphasised vertical corrugated panel. This could be provided in a contemporary manner to clearly identify this as a new addition to the terrace, but it should follow the same design principles.
- A design rationale and brief architectural impact assessment/statement should be provided given the location of the proposed development within an ACA.
- A revised layout showing provision of on-curtilage parking spaces for both existing and proposed properties along with the location and dimensions of both proposed vehicular access points
- Soil percolation test results, design calculations and dimensions for the proposed soakaway.
- A drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.
- A site-specific flood risk assessment report with the inclusion of a justification test in compliance with OPW Flood Risk Management Guidelines for Planning Authorities.

Recommendation

Request Further Information.

Further Information

Further Information was requested on 21/02/22

Further Information was received on 26/10/22

A Chief Executive's Order was issued on 08/08/22 providing a time extension for the further information up to 21/11/2022.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

Consultations

Architectural Conservation Officer – No objection, **conditions** recommended

Roads – No objection

Water Services – **Clarification of additional information** recommended

Irish Water – No objection, **conditions** recommended

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *The subject site is located within the Architectural Conservation Area of St. Patricks Cottages. The Tara Hill houses were built in the 1960's as infill local authority housing and forms part of the ACA. The applicant is requested to provide a revised design to include such design elements as are common in the rest of the ACA and include revised elevation drawings showing tear-drop windows and an emphasised vertical corrugated panel. This could be provided in a contemporary manner to clearly identify this as a new addition to the terrace but it should follow the same design principles.*
2. *Given the location of the proposed development site within an Architectural Conservation Area, the applicant is requested to submit a design rationale and brief architectural impact assessment/statement.*
3. *The applicant is requested to submit a revised layout of not less than 1:100 scale, showing provision of on-curtilage parking spaces for both existing and proposed properties along with the location and dimensions of both proposed vehicular access points limited to a width of 3.5 metres, boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
4. *The applicant has stated their intention to use a soakaway in their application form. However, 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 if their intention is to use a soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*
 - *At least 5m from any building, public sewer, road boundary or structure.*
 - *Generally, not within 3m of the boundary of the adjoining property.*
 - *Not in such a position that the ground below foundations is likely to be adversely affected.*
 - *10m from any sewage treatment percolation area and from any watercourse / floodplain.*

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

- *Soakaways must include an overflow connection to the surface water drainage network.*
- 5. *The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is required to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. The applicant shall include SuDS features for the proposed development such as but not limited to the following:*
 - *Permeable Paving*
 - *Grasscrete*
 - *Green Roofs*
 - *Planter Boxes*
 - *Tree Pits.*
- 6. *The proposed development site is located within the River Dodders flood catchment according to OPW's (Office of Public Works) CFRAM maps. The site is at risk from a 1 in 100 year (1%) AEP flooding event. The applicant is requested to submit a site-specific flood risk assessment report with the inclusion of a justification test in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report shall outline details of the measures and design features to prevent or mitigate the risk of flooding to the proposed development and to adjoining lands. Finished floor levels shall be a minimum of 500 mm above the highest know flood level for the site.*

Assessment

Items 1 and 2 – Architectural Conservation

The applicant has provided an Architectural Impact Assessment report and revised plans, sections and elevations for the proposed new dwelling. These have been assessed by the SDCC Architectural Conservation Officer (ACO). The ACO has concluded as follows:

The proposed new house will follow the building line of the adjoining terrace of houses to the front and to the North it will broadly follow the building lien of No. 22A behind. Overall the new revised design shows consideration in its overall design in highlighting the original design elements of the existing housing, thereby reflecting the architectural elements in a contemporary way. The revised design changes will allow the new dwelling to sit adjoining the original 1960s housing in a sensitive way but at the same time it will read as a modern in-fill at the end of terrace.

Recommendation

- *It is considered that the proposed development should be carried out in accordance with the revised design and particulars submitted as Additional Information.*
- *A Schedule of Materials and finishes should be submitted for agreement and approval with the Councils Architectural Conservation Officer prior to*

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

commencement of works ensuring the final materials and finishes are of high quality and suitability within an Architectural Conservation Area.

It is considered appropriate to attach the recommended **conditions** to ensure the development is completed as per the revised proposals, using materials that are appropriate for the site's location within an Architectural Conservation Area.

Item 3 – Parking and Entrance Arrangements

The applicant has stated in a cover letter, and indicated on drawings, that a 3.5m vehicular access would be provided to serve 2 no. off-street car parking spaces. The Roads Department have reviewed this response and have stated they are satisfied with the revised parking and entrance layout. Their report states *'The entrance for the proposed new dwelling is located on the corner of a crossroads but as this is an existing access point and the boundary walls will be limited to 900mm, Roads Dept. has no objections.'*

It is considered that standard **conditions** relating to the height of boundary treatments and the arrangement of any access gates should be attached in the event of a grant to ensure pedestrian safety and amenity.

Items 4 and 5 – SuDS

Water Services have reviewed the revised submission and have requested the following **clarification of additional information** is sought:

SDCC drainage section requires a setback distance of at least 3m from the proposed house to the proposed rainwater harvesting tank. Provide the required setback distance and submit a report and revised drawing showing the 3m setback distance.

As this is the only outstanding issue of concern, it is considered that this can be addressed by **condition**.

Item 6 – Flooding

Water Services have reviewed the additional information provided and have stated no objection to the development. The Flood Risk Assessment provided concludes that *'the floor levels of all houses are set to 500m above the nearest flood level...'* this is considered acceptable.

Their report recommends standard **conditions** regarding pre-connection agreements which are considered appropriate.

South Dublin County Development Plan 2022 – 2028

A new Development Plan came into effect for South Dublin on 3rd August 2022. As a result, the development has been reassessed against the plans and policies of this new plan. The site remains zoned 'RES', where residential development is a permitted in principle use. Having reviewed the development against the 2022 – 2028 Development Plan, it is considered that the

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

proposal largely complies with the relevant policies and objectives relating to new dwellings and architectural conservation areas.

Policy in relation to the provision of public open space has been amended under the new plan, and there is an increased focus on green infrastructure. Therefore, an additional assessment of the application against these policies and objectives has been undertaken below.

Public Open Space

Section 8.7.3 of the 2022 – 2028 Development Plan requires the provision of public open space as part of all new developments comprising a residential element, save for certain exception circumstances. The current proposal seeks to deliver 1 no. house, on a site of 0.0178 ha. The provision of public open space at this location would not be viable and it is not considered appropriate or necessary to require a contribution in lieu in this instance.

Green Infrastructure

The site appears to be located within the Dun Laoghaire-Rathdown GI Corridor-2, as per figure 4.4 of the Development Plan. GI and SuDS have been addressed previously in this report and it is considered outstanding items in this regard can be addressed by **condition**. It is noted that the site currently appears to be concrete, with limited GI value.

Conclusion

The development subject to conditions, is considered to be consistent with the zoning objective 'RES' – 'To protect and/or improve residential amenity', and the relevant provisions in the County Development Plan 2022-2028 and is considered acceptable.

Other Considerations

Development Contributions

Summary of permission granted & relevant notes:	New dwelling - 96.2 sq.m
Are any exemptions applicable?	No
Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	96.2
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	96.2
Total development contribution due	€10,051.94

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

SEA Monitoring Information

Building Use Type Proposed:	New dwelling
Floor Area:	96.2 sq.m
Land Type:	Urban Consolidation
Site Area:	0.0178 Hectares

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposal would be consistent with Council policy in relation to new dwelling houses and Architectural Conservation Areas.

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 26/10/2022, 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.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

2. Restriction on Use.

The house shall be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

REASON: To prevent unauthorised development.

3. External Finishes.

All external finishes shall harmonise in colour and texture with the adjoining dwelling to the south.

REASON: In the interest of visual amenity.

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. Permission Required for Class 1 & 3 Exemptions.

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Part 1 of Schedule 2 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

6. Access Arrangements

A. The boundary walls and gates 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.

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

C. The vehicular access points shall be limited to a width of 3.5 meters.

D. In the event that a new driveway is laid, the driveway and any other hardsurfaced areas shall comprise permeable paving to improve surface water drainage.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

REASON: To ensure pedestrian and vehicular safety

7. Rainwater Harvesting Tank

SDCC drainage section requires a setback distance of at least 3m from the proposed house to the proposed rainwater harvesting tank. Prior to the commencement of development the applicant shall submit to the Planning Authority for written agreement drawings showing the required setback distance.

REASON: To ensure the safe disposal of surface water in the interests of public health

8. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

9. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €10,051.94 (Ten Thousand and Fifty-One Euros and Ninety-Four Cents), 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 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.

Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

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: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

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.


Comhairle Chontae Atha Cliath Theas

PR/1461/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0361

LOCATION: 24, Tara Hill Road, Rathfarnham, Dublin 14.



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: 22/11/22_____



Gormla O'Corrain,
Senior Planner