

Comhairle Chontae Atha Cliath Theas

PR/1550/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0475 **Application Date:** 28-Oct-2022
Submission Type: New Application **Registration Date:** 28-Oct-2022
Correspondence Name and Address: Desmond J Halpin 15 Carriglea Drive, Firhouse, Dublin, 14
Proposed Development: Removal of existing front boundary wall and replace with new selected stone boundary wall with new extended front vehicular access opening and widen existing front driveway.
Location: St. Gabriel's, Boot Road, Clondalkin, Dublin 22
Applicant Name: Mary McVicker
Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 554.27sq.m (0.055 Hectares) on the application form.

Site Description

The subject site is located on Boot Road within Brideswell Commons. The site consists of detached single storey dwelling.

Proposal

Permission is being sought for the removal of existing front boundary wall and replace with new selected stone boundary wall with new extended front vehicular access opening and widen existing front driveway.

Zoning

The subject site is zoned 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2022-2028.

Consultations

Roads Department Additional information requested.
Public Realm No report received at the time of writing this report.

SEA Sensitivity Screening – the site overlaps with the aviation related layers.

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Submissions/Observations /Representations

Submissions closed the 1st of December 2022. No third party submissions received.

Relevant Planning History

Subject site

S00B/0277

Proposed granny flat to front side and rear of existing bungalow, proposed conservatory to rear proposed porch to front, all ancillary site work. **Permission granted.**

Adjoining and surrounding sites

S01A/0149 47 & ABP Ref. PL06S.128901 St Brigids Road, Clondalkin, Dublin 22

Two-storey detached dwelling at side of. **Permission granted by SDCC and then ABP.**

Relevant Enforcement History

None identified in APAS.

Pre-Planning Consultation

None identified in APAS.

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

Policy G11: Overarching

Policy G12: Biodiversity

Policy G14: Sustainable Drainage Systems

Policy QDP7: High Quality Design – Development General

Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.4.2 Green Infrastructure and Development Management

12.6 Housing - Residential Development

12.6.7 Residential Standards

Table 12.26: Maximum Parking Rates (Residential Development)

12.11.1 Water Management

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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 (2009).

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).

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

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Green Infrastructure;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The subject site is located within zoning objective 'RES': '*To protect and/or improve residential amenity*'. The principle of a replacement front boundary wall and widened vehicular access is generally considered to be acceptable under this zoning objective, subject to its compliance with the relevant policy and having regard to safety and design.

Visual and Residential Amenity

The existing front boundary wall would be replaced with a new boundary wall with a selected stone finish to the front and block faced to the rear (facing the dwelling onsite). The wall would have a selected coping stone top finish. The existing vehicular entrance would be widened and

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redesigned to have aluminium entrance gates and stone block piers. The vehicular entrance would be further setback from the road and widened to approx. 3.0m.

The proposed front wall would be the same approx. height as existing, approx. 1.4 to 1.65m in height. The Roads Department have raised concerns in relation to the height of the boundary wall around the vehicular entrance. This can be addressed by way of **condition**. The scale and design of the wall is visually acceptable. However, changes should be made to address Roads concerns.

In summary, the proposed development is considered to have an acceptable impact in terms of residential and visual amenity.

Access and Parking

The Roads Department have reviewed the proposed development and request additional information:

Description:

Removal of existing front boundary wall and replace with new selected stone boundary wall with new extended front vehicular access opening and widen existing front driveway.

The proposed wall would have a height ranging from 1.65m at its northern end to 1.4m at its southern end.

The proposed new access point would have a width of 3.0m

Roads recommend that additional information be requested from the applicant:

1. The applicant shall submit a revised layout of not less than 1:200 scale, showing 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.

This can be addressed by way of **condition**.

Green Infrastructure

The subject site is not located within/proximate to a Primary Green Infrastructure Corridor nor Secondary Green Infrastructure Link as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. Having regard to the location, nature and scale of the development it is considered to be in accordance with Policy Objectives GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the CDP 2022-2028.

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Screening for 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 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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves changes to front boundary wall and access.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced 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.

Development Contributions

Nil

SEA monitoring

Building Use Type Proposed: Changes to front boundary wall and access

Floor Area: 0sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0055 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028,
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, 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.

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Recommendation

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

FIRST SCHEDULE

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

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Vehicular Access
The applicant/developer shall submit, for the written agreement of the Planning Authority, a revised layout of not less than 1:200 scale, showing 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.
REASON: In the interests of traffic and pedestrian safety.
3. Dish Kerb and Footpath.
The kerb and footpath of the public road at the vehicle entrance(s) shall be,
(a) dished and a widened dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense, and
(b) all works shall be completed fully in accordance with the terms of a Road Opening Licence to be obtained by the applicant, developer, or owner from the Council prior to commencement of any works in the public domain.
REASON: In the interest of public safety and the proper planning and sustainable development of the area, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10.

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4. Gates.

No gate to be installed or erected shall be capable of opening across any public footpath, cycle-track, roadway or right of way, and any front entrance pillars shall be a maximum height of 1.2m .

REASON: In the interests of visual amenity and pedestrian safety.

5. 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.

6. 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.

7. 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

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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:

- 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.

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.

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REG. REF. SD22B/0475

LOCATION: St. Gabriel's, Boot Road, Clondalkin, Dublin 22



Deirdre Kirwan,
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: 07/12/22



Gormla O'Corrain,
Senior Planner