

Comhairle Chontae Atha Cliath Theas

PR/1608/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0300 **Application Date:** 08-Jul-2022
Submission Type: Significant **Registration Date:** 29-Nov-2022
Additional
Information

Correspondence Name and Address: CK Architecture Ashleigh House, John F. Kennedy Road, Dublin 12

Proposed Development: 2 storey, 2 bedroom, end of terrace house to side of existing dwelling; a new vehicular access from Kilcarberry Close; all related works.

Location: 5, Kilcarberry Close, Clondalkin, Dublin 22.

Applicant Name: Robert Flanagan

Application Type: Permission

(SW)

Description of Site and Surroundings

Site Area: stated as 0.21

Site Description

The subject site consists of a side garden for an existing dwelling within an existing residential area. It is located on the corner of Kilcarberry Close.

Proposal

- 2 storey, 2 bedroom, end of terrace house to side of existing dwelling; a new vehicular access from Kilcarberry Close; all related works.

Zoning

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

SEA Sensitivity Screening – no overlap.

Aviation: CDP Maps indicate the site is located within Bird hazards, Approach surfaces, *noise significant boundaries*, take off climb surfaces, inner horizontal surface (Casement)

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Consultations

Water Services – no objection, subject to conditions.

Irish Water – additional information requested.

Parks – no objection, subject to conditions.

Roads – additional information requested.

Submissions/Observations /Representations

A number of submissions were received:

- Concerns regarding safety and traffic – existing property rented so already large number of cars
- Existing property will lose greenery and trees
- Parking to the rear is unsafe as there are high walls
- Impact on emergency serviced
- Will result in noise and anti-social behaviour

Where relevant, these are considered as part of the assessment below.

Relevant Planning History

Subject site:

SD06A/0433 2 storey 3 bed attached house to side of existing dwelling with on and off site development works. **Permission Granted (expired, not implemented)**

Adjacent sites:

None.

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

None recorded for subject site according to APAS.

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

Chapter 3 Natural, Cultural and Built Heritage

Policy NCBH3 Natura 2000 Sites

NCBH3 Objective 3 (Appropriate Assessment)

Chapter 4 Green Infrastructure

Policy GI1 Overarching

GI1 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,

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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.

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.

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.

Chapter 7 Sustainable Movement

Section 7.10 Car Parking

Policy SM7 Car Parking and EV Charging

SM7 Objective 1 Maximum car parking standards

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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

Section 12.6.8 Residential Consolidation

(ii) Corner / Side Gardens

- 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 the provisions of Section 6.8 Residential Consolidation in Urban Areas 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;

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- 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, for example, 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.

11.8.6 For residential development and other noise vulnerable land uses, an appropriate noise assessment with accompanying mitigation measures to protect residential amenity should be submitted.

IE13 Noise

IE13 Objective 1:

To limit residential development and other land uses impacted by noise, such as nursing homes, schools, hospitals and conference centres within the Noise Significant Area Boundary delineated for Casement and Weston (See County Development Plan Index Map and relevant area maps) and ensure that any noise sensitive uses are subject to an appropriate noise assessment and mitigation measures to protect residential amenity.

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional Spatial and Economic Strategy 2019 – 2031.

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).

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

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

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Green infrastructure;
- Roads;
- Aviation;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity.' Residential development is permitted in principle subject to its accordance with the relevant provisions of the County Development Plan with specific reference to Section 12.6.8 'corner / side gardens.'

Section 12.6.8 Residential Consolidation

(ii) Corner / Side Gardens

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 the provisions of Section 6.8 Residential Consolidation in Urban Areas 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;
The proposed development would match the front and rear main building line of the attached pair of semis (i.e., no's 5 and 7)
- Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain;
*Dual frontage has not been provided. It is noted there are not directly opposing first floor windows. Whilst the site is set back from the boundary, there is potential to activate the side elevation, particularly at first floor. This should be addressed via **additional information**.*

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- 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.
The proposed development achieves this.
- 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;
N/A
- 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;
Design generally matches the adjacent dwellings; however, the proposal would benefit from additional windows at first floor to the front and side. Noted that this may require internal layout changes, however, the applicant is requested to address this via additional information.
- 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, for example, an advantageous orientation, shape and functionality;
The proposal provides a 2bed dwelling. In line with CDP table 3.20 55sq.m is required. The area immediately to the rear of the dwelling measures approximately 37sq.m, however, it is noted that there are hard surfaced areas in this location. There is also in excess of 50sq.m to the side, but there are hard surfaced areas running through this area also. The applicant is requested to provide a layout plan, which clearly indicates functional open space that does not include car parking or footpaths. It is noted that, if car parking is retained to the rear of the dwelling, the applicant may not be able to secure the entire requirement to the rear of the building line. In which case, there may be potential to use land to the side of the dwelling, provided it is well connected to the rear open space and functional. Additional information is therefore requested.
- 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.
As stated above, it may be possible to use some of the land to the side as open space, however, it would need to be indicated that this area was functional and well connected to the rear amenity space. Additional information is therefore requested.

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Visual and Residential Amenity;

Internal Accommodation & Private Open Space

Quality Housing for Sustainable Communities-Best Practice Guidelines (DOEHLG 2007) and Table 3.20 of the County Development Plan set out dwellings standards. The proposal provides a single 2bed 2 storey dwelling. Bed 1 is 16.5sq.m and bed 2 is 7.2sq.m. The proposal therefore provides one single and 1 double room and is a 3person dwelling.

Section 5.3.2 of the Quality Housing for Sustainable Communities Guidelines.	Requirement (sq.m) for a 3person 2 bedroom house (2 storey)	Provision (sq.m)
Gross Floor Area	70 (Table 11.20 of CDP is 80)	Stated as 81
Minimum main living area	13	15.2
Aggregate living area	28	37.2
Aggregate Bedroom Area	20	23.7
Storage	3	1.1
Unobstructed Living room width	3.6	Requirement met
Double bedroom(s) width	2.8	Requirement met
Single bedroom(s) width	2.1	Requirement met
Main bedroom for house above 3 persons	13	16.5
Double bedroom area	11.4	16.5
Single bedroom area	7.1	7.2

The proposal fails to meet the required standard in terms of storage.

The Development Plan standard for **private open space** for a three bedroom house is a minimum of 55sq.m (Table 3.20). As stated above, additional information is required to address this.

In relation to the existing dwelling, it is noted that a private open space area of approx. 63.5 sqm would be retained, which is considered acceptable in this instance. It is noted that the existing layout shows a large shed in the rear amenity space, however, this is not indicated in the proposed. It is noted that the amenity space for the host dwelling may also largely consist of hardstanding. Whilst not included within the redline, the applicant should note that in order for this space to be considered usable, the shed may need to be removed. The applicant is therefore requested to:

- Revise the redline to include the rear amenity space for the host dwelling,
- Include the rear amenity space for the host dwelling in the GI / landscape plan
- Indicate whether the shed would be removed and the level of amenity space that would remain for the host dwelling.

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This should be addressed via **additional information**.

Separation Distance, Overlooking, Overbearing

The proposed development would be approx. 12m from the property to the rear and it is noted that there is a single obscure glazed window on the elevation facing the property. The property would not directly oppose any properties to the front and there is a significant belt of trees between the existing properties and the proposed – the dwellings are also over 30m from the proposed dwelling. The proposal would be approx. 19m from the property to the south, however it would not directly face this property – it is noted that the existing property also only has a single obscure glazed window at first floor.

There would be no directly opposing windows and therefore limited overlooking. The proposal would be of a similar scale to existing properties and would not be overbearing. The proposed single storey element at ground floor would be 3.4m deep and would extend the width of the property. It would have a monopitch roof, 3.6, high where it meets the property, which would fall to 2.5m. The impact of this element is therefore acceptable.

Access

A new entrance drive with gate is proposed to the rear of the dwelling, with access through the existing side boundary wall. This has an acceptable impact in terms of visual amenity, however, there are concerns regarding residential amenity, as set out in the roads report below.

Visual

Subject to the changes required to address policy on side garden – corner sites, the proposed development has an acceptable impact on visual amenity.

Green Infrastructure

It is evident from the information submitted that the proposed development would result in the development of existing rear amenity space. The submitted 3d visuals indicate that trees in the grass verge would be retained and hedgerow would be planted as boundary treatment to the front.

12.7.6 Car Parking Design and Layout states “*Proposals to widen driveways that would result in the removal of, or damage to, a street tree will not generally be permitted.*” It is noted that the proposal is for a new driveway, however, it is considered that the paragraph still applies.

The report from the Parks Department stated “*The Public Realm Section would not be in favour in allowing a resident to remove or reduce a grass margin which are in the public domain to accommodate the provision of an additional entrance. We believe this will negatively impact/impinge on the existing street tree. Street Trees are an extremely element of local green*

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infrastructure and every effort should be made to protect and retain our existing street trees in urban areas.”

The subject application provides for a relatively small increase in the footprint of the subject site on an established suburban residential area. The site is located within a Strategic GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4) and Table 4.1 (Strategic Corridor 5: Camac River Corridor). It is noted that the application does not include SuDS measures. Having regard to the location of the site within a Primary Corridor, the extent of private amenity grassland, the scale of the footprint increase and the lack of/ limited provision of SuDS measures, it is considered that the subject development has not incorporated Green Infrastructure and would therefore not be in accordance with Policy Objectives GI1 Objective 4, GI4 Objective 1, GI2 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028. The applicant should be requested, by way of **further information**, to submit a landscape plan, incorporating the protection and enhancement of Green Infrastructure assets, demonstrating compliance with the Green Infrastructure Strategy.

In accordance with 12.4.2 Green Infrastructure and Development Management. Applications for extensions or single houses will also require the submission of a GI Infrastructure Plan which may be incorporated into the proposed landscape plan. It states “*Applications for extensions or single houses will also require the submission of a GI Infrastructure Plan which may be incorporated into the proposed landscape plan. This should clearly incorporate GI elements and provide links to local ‘Stepping-Stones,’ Cores and Corridors where appropriate. Some smaller scale development may require more detailed GI Infrastructure Plans. Depending on location and context of the site, this will be decided on a case-by-case basis. Regardless of development size or type, applicants must submit an overall site summary quantifying and detailing the following:*

- *tree and hedgerow removal;*
- *tree and hedgerow retention;*
- *new tree and hedgerow planting.*

This information will be submitted in a digital format agreed with the Council to allow amalgamation and reporting on tree and hedgerow cover within the County over time”.

Additional information is required to address this.

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Roads

A new entrance drive with gate is proposed to the rear of the dwelling, with access through the existing side boundary wall. The report from the Roads Department states:

“Access & Roads Layout:

An additional dwelling is proposed with a new vehicular access to be located at the side of the subject site. The development would also see amendments to the geometry of the existing vehicular access of dwelling No.5.

Roads Department have concerns re the following:

- 1. The new side entrance to the proposed dwelling has poor sightlines and visibility.*
- 2. How vehicular traffic reversing from the driveway of dwelling No.5 and No.7 safely egresses and converges and leave the estate”.*

The following additional information has been requested:

- 1. “A road safety audit (level 1) which includes AutoTRAK analysis is required which addresses issues of vehicular egress from dwellings No.5 and No.7, taking into account pedestrian safety and the swept paths of vehicles.*
- 2. A revised drawing to be submitted with the provision of a visibility splay in both directions from the side entrance that meets the minimum requirements for the 30km/h zone”.*

In addition to the request from Roads, the Planning Authority request that the applicant examine alternative provision of access / parking that:

- Result in more usable rear amenity space
- Meet the requirement of the Roads Department
- Protect existing Green Infrastructure.

It is also noted that the proposed changes to the car parking for the existing dwelling are located outside the redline for the proposed development. The Roads Department has raised concerns regarding safety and has requested an audit, which may result in the omission of the proposed change of car parking to the front of No5. However, should the revised car parking remain, the applicant is requested to submit a revised site layout plan, which includes the impacted area within the redline.

Aviation

The site is subject to a number of designations surrounding aviation. The majority of these have no direct impact on the proposed development due to the nature, scale and height of the proposal. However, the site is situated in noise significant boundary. As such, the following applies: Policy IE13 – Noise – *‘Discourage noise-sensitive developments in the immediate vicinity of airports and aerodromes’.*

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IE13 Objective 1:

To limit residential development and other land uses impacted by noise, such as nursing homes, schools, hospitals and conference centres within the Noise Significant Area Boundary delineated for Casement and Weston (See County Development Plan Index Map and relevant area maps) and ensure that any noise sensitive uses are subject to an appropriate noise assessment and mitigation measures to protect residential amenity.

It is noted that the proposal is within an existing residential area, however, residential development is considered to be a sensitive use. As such, the applicant is requested to submit a noise assessment and appropriate mitigation in line with IE13 objective 1.

Additional information is therefore requested.

Services & Drainage and Flood Risk

A report from Water Services requests details of SuDS via condition, however, given the location within a Strategic GI corridor, this information should be sought as **additional information**. Standard conditions are recommended regarding flood risk. Irish Water has requested **additional information** regarding watermain layout.

Screening for Appropriate Assessment

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 new dwelling.

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 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.

Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Dwelling: 81sq.m

Assessable Area: 81sq.m

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SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 81sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.21 ha (stated)

Conclusion

Having regard to concerns with regard to the design and on visual amenity and the recommendations of the Roads Department, as well as the impact on green infrastructure, it is considered necessary to request **further information** to ensure the proposed development is compliant with Development Plan policy and the proper planning and sustainable development of the area.

Recommendation

Request additional information.

Additional information requested: 1 September 2022

Significant Further information notices published 28 November 2022

Following the re notification of the proposed development, two submission were received, and the following concerns were raised:

- not much change from original apart from one wall being lowered
- initial concerns remain
- safety concerns for children and other residents
- unacceptable increase in parking
- parking to rear is unsafe and generates hard landscaping
- will cause problems for access for emergency services
- issues with anti-social behaviour

These are considered in the overall assessment of the planning application.

Consultations:

Water Services: No objections, subject to conditions.

Irish Water: No objections, subject to conditions.

Roads: Request clarification of additional information.

Parks: No objections, subject to conditions.

EHO: No objections, subject to conditions.

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Assessment:

Item 1:

The applicant is requested to provide a revised design, which addresses the following:

In accordance with Section 12.6.8 Residential Consolidation

(ii) Corner / Side Gardens

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

a. Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain: Dual frontage has not been provided as part of the current application. It is noted there are no directly opposing first floor windows. Whilst the site is set back from the boundary, there is potential to activate the side elevation, particularly at first floor.

b. 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; The design of the proposed development generally matches the adjacent dwellings; however, the Planning Authority are of the opinion that the proposal would benefit from additional windows at first floor to the front and side.

c. 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, for example, an advantageous orientation, shape and functionality: The proposal provides a 2bed dwelling. In line with CDP table 3.20 55sq.m is required. The area immediately to the rear of the dwelling measures approximately 37sq.m, however, it is noted that there are hard surfaced areas proposed in this location. There is also in excess of 50sq.m to the side, but there are hard surfaced areas running through this area also. The applicant is requested to provide a layout plan, which clearly indicates functional open space that does not include car parking or footpaths. It is noted that, if car parking is retained to the rear of the dwelling, the applicant may not be able to secure the entire requirement to the rear of the building line. In which case, there may be potential to use land to the side of the dwelling, provided it is well connected to the rear open space and functional. 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 will not be considered as private amenity space.

Applicant's response:

The proposal has been revised to provide dual frontage. Boundary wall has been moved and landscaped garden is provided to the side. 60sq.m of rear garden space is now provided

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Assessment:

The design of the proposed dwelling is considered acceptable. Rear amenity space is now acceptable.

Item 2:

The applicant is requested to clearly indicate areas of storage in line with the requirements of Quality Housing for Sustainable Communities-Best Practice Guidelines (DOEHLG 2007).

Applicant's response:

The proposal provides 3.6sq.m – standard for the proposed dwelling is 3sq.m.

Assessment:

The proposed storage provision is acceptable.

Item 3:

In relation to the existing dwelling, it is noted that a private open space area of approx. 63.5 sqm would be retained, which is considered acceptable in this instance. It is noted that the existing layout shows a large shed in the rear amenity space, however, this is not indicated in the proposed. It is noted that the amenity space for the host dwelling may also largely consist of hardstanding. Whilst not included within the redline, the applicant should note that in order for this space to be considered usable, the shed may need to be removed. The applicant is therefore requested to:

- Revise the redline to include the rear amenity space for the host dwelling,
- Include the rear amenity space for the host dwelling in the GI / landscape plan
- Indicate whether the shed would be removed and the level of amenity space that would remain for the host dwelling.

Applicant's response:

60sq.m rear amenity provided for host dwelling. Shed is proposed to be removed. Concrete slab will be removed, and permeable paving will be used. Full site now in red line. There are minor changes to roof of existing dwelling.

Assessment:

The addition of the host dwelling to the redline is welcomed. The removal of the shed and addition of permeable paving are welcomed. There would be no impacts arising from the minor changes to the roof.

Item 4:

a. The site is located within a Strategic GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4) and Table 4.1 (Strategic Corridor 5: Camac River Corridor). It is noted that the application does not include SuDS measures. Having regard to the location of the site within a Primary Corridor, the extent of private amenity grassland, the scale of the footprint increase and the lack of/ limited provision of SuDS measures, it is considered that the subject

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development has not incorporated Green Infrastructure and would therefore not be in accordance with Policy Objectives GI1 Objective 4, GI4 Objective 1, GI2 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 - 2028. It is also apparent that the proposed development may also impact street trees. The applicant is requested to submit a landscape plan, incorporating the protection and enhancement of Green Infrastructure assets, demonstrating compliance with the Green Infrastructure Strategy.

b. In conjunction with (a) the applicant is requested to submit an overall site summary quantifying and detailing the following:

- tree and hedgerow removal;
- tree and hedgerow retention;
- new tree and hedgerow planting.

c. Street trees should be assessed as part of any landscape / Green Infrastructure assessment.

Applicant's response:

All existing trees retained (public and private). New planting is proposed – see 5KC PD02.

Water butts included, as well as permeable paving and raingarden planters.

Assessment:

The Parks and Public Realm Department has raised no objections, subject to conditions. The Planning Authority welcome the additional SuDS measures within a strategic GI corridor.

Item 5:

1. The applicant is requested to submit:

a. A road safety audit (level 1) which includes AutoTRAK analysis is required which addresses issues of vehicular egress from dwellings No.5 and No.7, taking into account pedestrian safety and the swept paths of vehicles.

b. A revised drawing to be submitted with the provision of a visibility splay in both directions from the side entrance that meets the minimum requirements for the 30km/h zone.

2. The applicant is requested to examine alternative provision of access / parking that:

- Result in more usable rear amenity space
- Meet the requirement of the Roads Department
- Protect existing Green Infrastructure.

3. It is noted that the proposed changes to the car parking for the existing dwelling are located outside the redline for the proposed development. The Roads Department has raised concerns regarding safety and has requested an audit, which may result in the omission of the proposed change of car parking to the front of No5. However, should the revised car parking remain, the applicant is requested to submit a revised site layout plan, which includes the impacted area within the redline.

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Applicant's response:

Existing vehicle access for Nos 5 and 7 are not impacted by the proposed development. Swept path provided – 5KC PD03. Owner of No7 has built walls (not present at time of original survey) – these have been added. They constrain the access to No7, but this is not related to the proposed dwelling. Access to No5 preserved without changes – only car parking will be modified, and permeable paving added. The side boundary wall will be lowered to increase visibility.

Parking area for proposed dwelling has been revised. Side boundary wall lowered.

Assessment:

Roads has no concerns regarding the existing car parking spaces. However, concern has been raised with regards the length of the proposed parking space, which should be a minimum of 6m. whilst some deviation from this standard may be permitted, the proposal provides 5m. It is noted that the Roads Department is seeking clarification of additional information in this regard, however, it is considered that the parking area can be revised / reorientated via condition.

Item 6:

The area is located within a noise significant boundary (Casement). Policy IE13 seeks to discourage noise-sensitive developments in the immediate vicinity of airports and aerodromes. In accordance with IE13, objective 1, noise sensitive uses should be subject to an appropriate noise assessment and mitigation measures to protect residential amenity. The applicant is requested to submit a noise assessment and appropriate mitigation in line with IE13 objective 1.

Applicant's response:

Please see assessment.

Assessment:

There are no objections from the EHO, subject to a condition to secure the proposed mitigation.

Item 7:

a. The applicant is requested to submit a report and drawing showing additional SuDS. Examples of SuDS include (this is not an exhaustive):

- Permeable Paving
- Channel Rills
- Rain Gardens ,
- Planter boxes with overflow connection to the public surface water sewer.
- Grasscrete
- Other such SuDS

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Guidance on SuDS can be found at South Dublin County Council Website at Householders guide [sdcc-householders-guide-to-sustainable-drainage-suds-.pdf](#)

b. There is no soakaway proposed for the development as per BRE Digest 365 Standards. There are no soil percolation test results, design calculations or dimensions submitted for a 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 percolation tests results comply with BRE Digest 365 standards then submit a revised drawing showing in plan and 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:

- 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.
- Soakaways must include an overflow connection to the surface water drainage network.

Applicant's response:

Site is too small for soakaway. SuDS provided.

Assessment:

Water Services has raised no objections, subject to conditions.

Item 8:

The applicant is requested to submit a drawing showing the watermain layout of the proposed development.

Applicant's response:

Applicant has provided a services plan.

Assessment:

Irish Water has raised no objections, subject to conditions.

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Screening for Appropriate Assessment

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 new dwelling.

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 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.

Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Dwelling: 80sq.m

Assessable Area: 80sq.m

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Development Contributions	
Planning Reference Number	SD22A/0300
Summary of permission granted & relevant notes:	New dwelling
Are any exemptions applicable?	No
If yes, please specify:	
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)	80
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	80
Total development contribution due	€8,359.20

SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 80sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.21 ha (stated)

Conclusion

Having regard to the:

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

it is considered that the proposed development would be in compliance with Council policy in relation to dwelling houses, 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 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 28 October 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. 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. 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.
4. Drainage.
 - (a) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
 - (b) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.REASON: In the interests of public health, the proper planning and sustainable

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development of the area and in order to ensure adequate water supply and drainage provision.

5. Roads.

(a) Prior to the commencement of development, the applicant shall submit a revised layout for the side garden / proposed car parking for the new dwelling. Unless otherwise agreed in writing by the Planning Authority, this shall indicate:

- a driveway width of no greater than 3.5m wide;
- a car parking area of no less than 6m long;
- AutoTRAK analysis showing the movement of a car accessing and egressing the revised arrangement;
- proposed green areas / SuDS measures may be moved but shall be retained and not omitted.

(b) The boundary walls at both 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.

(c) 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.

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

REASON: In the interests of safety and adequate parking provision.

6. Protection of Street Trees in Grass Margins

The applicant shall ensure the protection of the existing street tree to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works. Development shall not commence without adequate protective fencing being in place in line with BS 5837. This fencing, enclosing the tree protection area shall be installed prior to any plant, vehicle or machinery access on site. Fencing shall be clearly signed 'Tree Protection Area - No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage shall be permitted within the fenced tree protection areas indicated on plan.

REASON: in the interests of protecting existing trees.

7. Noise Mitigation.

The applicant shall implement all measures to reduce noise, set out in the submitted document 'Noise Assessment for Additional Information Planning Reg Ref: SD22A/0300', prepared by CK Architecture, dated 10/10/2022.

REASON: In the interests of residential amenity.

8. 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

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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.

9. 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:

- 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.

10. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €8,359.20 (eight thousand three hundred and fifty nine euro and twenty 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

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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.

11. House Number.

The number of the house shall be 5A, Kilcarberry Close, Clondalkin, Dublin 22. and this number shall be placed on the completed house prior to its occupation in a manner so as to be clearly legible from the public road.

In the event that this number already exists no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

- (a) a street name and dwelling/unit number plan to resolve any possible conflict and,
- (b) this has been acknowledged as acceptable in writing by the Planning Authority.

Following receipt of an acknowledgement of acceptability, the agreed number / name shall be placed on the completed house prior to occupation in a manner so as to be clearly legible from the public road.

The applicant is advised that the development number or name should

- (i) avoid any duplication within the county;
- (ii) reflect the local and historical context of the approved development;
- (iii) comply with Development Plan policy, the guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government,
- (iv) have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and;
- (v) preferably make exclusive use of the Irish language.

The applicant, owner or developer is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required plan.

REASON: In the interests of the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

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12. 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 Schedule 2, Part 1 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.

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.

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REG. REF. SD22A/0300

LOCATION: 5, Kilcarberry Close, Clondalkin, Dublin 22.


Colm Harte,
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: 16/12/22


Gormla O'Corrain,
Senior Planner