

Comhairle Chontae Atha Cliath Theas

PR/1435/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0421 **Application Date:** 23-Sep-2022
Submission Type: New Application **Registration Date:** 23-Sep-2022
Correspondence Name and Address: Kelly McGreal 81, Forest Hills, Rathcoole, Co. Dublin
Proposed Development: New vehicular entrance; Widen existing site entrance & dishing of curb.
Location: 81, Forest Hills, Rathcoole, Co. Dublin
Applicant Name: Kelly McGreal
Application Type: Permission

Description of Site and Surroundings:

Site Area: stated as 0.0194 hectares on application form.

Site Description:

The subject site is located on Forest Hills residential street in Rathcoole. The subject dwelling is a two-storey mid-terrace dwelling with a pitched roof profile. The front garden/amenity area consists of a pedestrian entrance with c0.9m in width footpath to the front of the dwelling c7.8m in length. The surrounding front amenity area is greenspace with mature shrub present. The rear garden contains open space and a garden shed. A rear pedestrian laneway exists behind the rear boundary wall of the site. The surrounding streetscape is characterised by dwelling houses of similar style and appearance and uniform building line. The street itself contains on-street parking with a 1.2m wide grass verge with mature trees and a 1.7m wide footpath.

The immediate streetscape of the subject dwelling consists of 6 terraced houses of similar appearance as stated previously. Of the 6 dwellings, 3 have in-curtilage parking evident from the site visit with front amenity areas equivalent to that of the subject dwelling converted to parking. The adjoining dwelling to the north No.82 has in-curtilage parking while the adjoining dwelling to the south No.80 does not and has pedestrian access only similar to the subject dwelling. Evidence of in-curtilage vehicular entranceways and curb dishing is also evident in the wider surrounding area.

Proposal:

The proposed development consists of the following:

- Widen existing site entrance and dishing of curb to make new vehicular entrance.

Zoning:

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

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Consultations:

Parks Section -

No objection

Roads -

No objections subject to conditions

SEA Sensitivity Screening - Indicates overlap with Areas of Archaeological Potential 2016 and Record Of Monuments And Places 2016.

Submissions/Observations /Representations:

Submission expiry date – 27/10/2022

No submissions or observations were received.

Relevant Planning History:

Subject Site:

None identified on APAS.

Adjacent sites:

SD07A/0795 - 87, Forest Hills, Rathcoole, Co. Dublin.

Demolition of the existing single storey side extension and construction of new small two storey dwelling with single storey rear extension attached to the side of the existing house with associated site works including new site entrance.

Grant Permission.

Relevant Enforcement History:

None identified for subject site on APAS.

Pre-Planning Consultation:

None identified on APAS for subject site.

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

Policy GII: Overarching

GII 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, 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.

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.

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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.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

Section 12.3.8 Architectural Conservation Areas

Where proposals include alterations and extensions affecting structures within an ACA, these should be sensitively designed and sited appropriately, should be generally subservient to the main structure, should not be visually obtrusive or detract from the character of the structure or its setting within the ACA;

The scale of new structures should be appropriate to the general scale of buildings within the ACA;

Section 12.7.6 Car Parking Design and Layout

In-Curtilage Parking

In-curtilage car parking will be considered to the front of the house for lower density residential development (40 dwellings per hectare or below), subject to:

- Sufficient measures to promote a self-regulating street environment;*
- Adequate plot widths to enable the planting of materials which have a low-level screening effect;*
- The provision of conveniently located on-street parking for visitors.*

Widening of Driveways to Accommodate In-Curtilage Parking

Proposals to widen driveways to accommodate in-curtilage parking will be considered having regard to the following:

- A width of 3.5m between gate pillars shall not normally be exceeded. This is for reasons of pedestrian safety and visual amenity and to retain on-street parking spaces;*
- Proposals to widen driveways that would result in the removal of, or damage to, a street tree will not generally be permitted and where permitted must be mitigated;*
- Where a hard surface is proposed to accommodate parking in a front garden area, permeable paving shall be used, in the interest of sustainable drainage.*

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National Guidelines & Policy relevant to Development Management

The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on front extensions/driveway length:

- Try to maintain a minimum driveway length of 6m.
- Permeable gravel on parking areas will allow natural drainage to occur

Relevant Government Guidelines

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment 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, (2008).

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

Assessment

The main issues for assessment relate to:

- Zoning and Council policy
- Residential and Visual Amenity
- Roads
- Parks
- Green Infrastructure
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

A development comprising of the widening of existing site entrance and dishing of curb to make new vehicular entrance would be consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan **2022-2028** and the House Extension Design Guide.

Residential and Visual Amenity

The proposal seeks to widen the existing 0.930m wide pedestrian access to number 81, Forest Hills. The subject dwelling currently has no vehicular entrance or in-curtilage parking. The site consists of a front garden with pedestrian entrance and walkway/footpath to dwelling house.

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The application proposes the widening of the current access/entrance to 2.5m in width and widening the footpath/site access in line with the proposed entrance c2.5m. The existing mature shrub would remain in situ along with green space surrounding the widened area. The proposal would have an acceptable impact in terms of visual impact and is deemed acceptable however, no material finishes, or SUDS measures are proposed for the driveway. Section 12.7.6 of the development plan states that where a hard surface is proposed to accommodate parking in a front garden area, permeable paving shall be used, in the interest of sustainable drainage. This can be addressed by way of **condition** in the event of grant of permission.

The proposal would be acceptable in terms of visual amenity in accordance with section 12.3.8 Architectural Conservation Areas of the CDP, given the nature, location and scale of the proposed development and due to its subservient function to the main structure(dwelling), and it not being visually obtrusive or detracting from the character of the dwelling or its setting within the ACA.

The proposals would be in accordance with Section 12.7.6 Car Parking Design and Layout, 'Widening of Driveways to Accommodate In-Curtilage Parking' in Chapter 12 of the South Dublin County Development Plan 2022-2028, which states that a width of 3.5m between gate pillars shall not normally be exceeded. The subject site proposes 2.5m which is acceptable. The proposed development does not propose the removal of any street trees and proposes to retain a dead tree stump which is located in the grass verge to the north of the site. This would be in line with section 12.7.6 which states that proposals to widen driveways that would result in the removal of, or damage to, a street tree will not generally be permitted and where permitted must be mitigated.

The widened entrance/driveway would exceed the minimum driveway length of 6m as required by the South Dublin County Council House Extension Guide (2010). The proposed driveway would have a length of c7.8m.

In summary, the proposed development is considered to comply with the guidance set out in the South Dublin County Council House Extension Design Guide (2010) and would have an acceptable impact, subject to conditions in terms of residential and visual amenity.

Roads

The roads department have no objections subject to **conditions** and submitted the following report:

No Roads objections subject to the following conditions:

1. *The boundary walls 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.*

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2. *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.*
3. *Any gates shall open inwards and not out over the public domain.*
4. *All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*

Condition 4 is not an enforceable condition, notwithstanding this, the other **conditions** as indicated by the Roads Section shall be attached in the event of a grant of permission.

Parks

The public realm department of the council have reviewed the application and have no objection to the development. The tree that was located in the grass verge is no longer there with only stump remaining and does not provide an issue to the planning authority.

Green Infrastructure

The subject application provides for a relatively small increase in the footprint of the subject house on an established suburban residential site. The site is located close to a Primary GI Corridor: Primary GI Corridor No.5 Camac River Corridor and not in a close proximity to a Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028).

Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required.

Screening for Appropriate Assessment (AA)

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of the widening of existing site entrance and dishing of curb to make new vehicular entrance.

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.

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Screening for Environmental Impact Assessment (EIAR)

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

Total Assessable 0sqm

Planning Reference Number	SD22B/0421
Summary of permission granted & relevant notes:	Widen existing site entrance and dishing of curb to make new vehicular entrance. No new floorspace too be created as a result of proposal.
Are any exemptions applicable?	No
If yes, please specify:	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
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)	0
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	0
Total development contribution due	€0.00

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SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – new vehicle driveway	0sqm
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0194

Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the proposal, it is considered that, subject to the **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.

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. Sustainable Urban Drainage Systems (SuDS)
The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development.
 - a) The proposed driveway/car parking area shall be constructed using a permeable surface

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such as Permeable Paving, Grass Paving or Porous Asphalt as part of SuDS (Sustainable Drainage System).

REASON: In the interest of providing suitable SuDS measures

3. 1. The boundary walls 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.
2. 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.
3. Any gates shall open inwards and not out over the public domain.

Reason: In the interests of public safety.

4. 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

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Dublin County Council Development Plan.

5. **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.

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: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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

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REG. REF. SD22B/0421

LOCATION: 81, Forest Hills, Rathcoole, Co. Dublin



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: 16/11/22


Gormla O'Corrain,
Senior Planner