

Comhairle Chontae Atha Cliath Theas

PR/0061/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0287 **Application Date:** 27-Jun-2022
Submission Type: Additional **Registration Date:** 20-Dec-2022
Information

Correspondence Name and Address: Jason Walsh Architectural & Engineering Services
12, Ard Mor Crescent, Tallaght, Dublin 24

Proposed Development: The development shall consist of two storey detached house to side of existing house with vehicular access and all associated site works.

Location: 67, Coolamber Park, Knocklyon, Dublin 16

Applicant Name: Deborah Soave

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.0216 hectares.

Site Description:

The site contains a two storey detached dwelling with a large side garden located on a corner of Coolamber Park in Knocklyon. The surrounding area is residential in nature.

Proposal:

Permission is sought for the following:

- Two-storey detached house (137 sq.m) with new vehicular access and associated site works

Zoning:

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

Consultations:

Public Realm – No objection, **conditions** recommended

Roads – No objection, **conditions** recommended

Water Services – **Additional information** recommended

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

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SEA Sensitivity Screening

SEA monitoring indicates no overlap with relevant environmental layers.

Submissions/Observations /Representations

Submission expiry date – 2 August 2022

No submissions or observations received.

Relevant Planning History

SD21A/0054: A two storey, detached house to side of existing house with new vehicular access and all associated site works. **Declared withdrawn following a request for clarification of additional information.**

Nearby sites

S00A/0665: Detached house in side garden of existing dwelling

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

Relevant Policy in South Dublin County 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

Section 4.1 Methodology

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.

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Section 4.2.1 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.

Section 4.2.2 Sustainable Water Management

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

H7 Objective 2:

To ensure that new residential developments incorporate energy efficiency measures and promote innovation in renewable energy opportunities

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.

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Chapter 7 Sustainable Movement

Section 7.10 Car Parking

Policy SM7 Car Parking and EV Charging

SM7 Objective 1 Maximum car parking standards

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 12.4.2 Development Management and Green Infrastructure

Section 12.6.7 Residential Standards

(i) Housing

Table 12.20 Minimum Standards for Housing

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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;*
- *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.*

Relevant Government Guidelines

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, 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).

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Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Residential and Visual Amenity
- Green Infrastructure
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Policy

South Dublin County Development Plan 2022 - 2028

The site is subject to zoning objective 'RES' – *'To protect and/or improve residential amenity'*
A house (residential development) is permitted in principle under this zoning objective, subject to assessment against the relevant policies, objectives and standards set out under the current Plan.

Residential and Visual Amenity

Residential Amenity

The internal layout of the house is unaltered from SD21A/0054. The proposed dwelling would exceed the minimum internal size for a two-bedroom dwelling as per table 3.20 of the CDP 2022 – 2028, and Table 5.1 of the *'Quality Housing for Sustainable Communities'* guidelines.

As per table 11.20 the proposed and existing dwellings would require a minimum of 55 and 75sq.m of private amenity space, respectively. The applicant has indicated the new dwelling would benefit from rear amenity of 66 sq.m and the existing dwelling would retain 129.5 sq.m rear garden. These figures cannot be confirmed off the site layout plan as there are no measurements included. This should be addressed by **additional information**, requiring a site layout plan clearly outlining the open space allocated to both the existing and proposed dwellings, as well as annotating and providing dimensions for existing rear structures that would impact the level of open space provided.

Regarding storage, the *'Quality Housing for Sustainable Communities'* guidelines require 4 sq.m storage for a 2-bedroom house of this type. Storage for the dwelling was improved as additional information under SD21A/0054 and was deemed acceptable. Storage remains unchanged from the revised proposal and is still considered acceptable.

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Impact on Surrounding Area / Visual Amenity

The dwelling would match the original front building line of the existing dwellings on the street. It is noted that the other dwelling at the site has a front extension that would be forward of the building line for the proposed house, however this is not considered likely to significantly impact the setting of the dwelling. Materials would be white render, in keeping with the prevailing character of the area. The existing house on the site has a pitched roof, with a front gable while the proposed dwelling would have a pitched roof and side gable. It is noted that a similar dwelling was constructed at the corner site to the rear, matching the front gable pitch roof orientation and this is considered preferable for visual amenity. As noted in Section 12.6.8 of the new Development Plan, *'The architectural language of the development (including boundary treatments) should generally respond to the character of adjacent dwellings and create a sense of harmony'*. In this regard, it is considered appropriate that the dwelling should match the roof orientation of the dwelling existing on the site, so as not to create a disjointed appearance of ad-hoc roof profiles at this prominent corner. This should be addressed as **additional information**.

It is noted that windows were included on the side elevation as part of the initial additional information request under SD21A/0054. These windows are considered appropriate however, to maximise the passive surveillance gain, the height of the boundary wall should be no more than 0.9m until after the side window serving the living room. This should be achieved by **additional information**.

Parking and Access

The Roads department have reviewed the application and have stated no objection to the development, recommending the following **conditions** in the event of a grant:

- 1. 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.*
- 2. Any gates shall open inwards and not out over the public domain.*
- 3. 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.*
- 4. If the tree marked to be removed remains, a distance of 600mm shall be maintained between the footpath and tree located in the grass verge in order to protect the tree.*

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These conditions are considered appropriate to ensure traffic safety and protect residential amenity. As per Section 12.7.6 of the Development Plan, the driveway shall not exceed 3.5m and this shall also be **conditioned** in the event of a grant. Furthermore, the boundary walls at the vehicle access point 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.

Green Infrastructure

The subject site does not appear to be located within or along a Core Area, Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028). The development would significantly increase the level of hardstanding at the site, as a result of the loss of side garden serving the original dwelling. From the information provided, it is not clear exactly what the impact of the proposed house will be on the existing mature vegetation located along the northern site boundary. This needs to be clarified by **additional information**, in compliance with Section 12.4.2 of the CDP 2022 – 2028.

The Public Realm department have stated no objection to the development, recommending the following **conditions** in the event of a grant of permission:

1. *Protection of Street Trees in Grass Margins*

The applicant is to 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 pertaining to retention of the gate. Commencement of development should not be permitted without adequate protective fencing being in place. This fencing, enclosing the tree protection area must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas indicated on plan. REASON: In order to ensure adequate protection for the street trees in the adjoining grass margin during the construction of development, and in the interests of the visual amenity of the area.

2. *Tree Bond*

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

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

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

3. Sustainable Drainage System (SuDS)

The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant shall submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample SuDS devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others. The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

4. Boundary

Boundary treatment shall be similar in design and construction in order to match existing and neighbouring boundaries. Details shall be submitted and agreed with Planning Department Section prior to the commencement of development.

REASON: In the interests of visual amenity.

Given the importance of green infrastructure and SuDS in the new CDP, it is considered appropriate to request **additional information** regarding the provision of SuDS at the site as additional information, rather than enforce this requirement by condition.

With regard to surface water drainage, the Drainage department have recommended **additional information** is sought as follows:

- 1.1 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*

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1.2 The applicant is required to submit a revised drawing showing 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:

- i. At least 5m from any building, public sewer, road boundary or structure.*
- ii. Generally, not within 3m of the boundary of the adjoining property.*
- iii. Not in such a position that the ground below foundations is likely to be adversely affected.*
- iv. 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- v. Soakaways must include an overflow connection to the surface water drainage network.*

1.3 The applicant shall consider including SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Rain Gardens, Planter boxes with overflow connection to the public surface water sewer.*
- Water Butts*
- Grasscrete*

As stated above, given the importance of the provision of SuDS and their early consideration in the development of a site, it is considered appropriate to request **additional information** regarding their provision within the sites landscaping. The request for soil percolation information can be achieved in the event of a grant by **condition**.

Water Supply and Wastewater

Irish Water have reviewed the application and have stated no objection, recommending the following standard **conditions** in the event of a grant of permission:

1. Water

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

2. Foul

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

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These **conditions** are considered relevant to ensure public health and adequate water facilities. All works will also be required to be in compliance with Irish Water Standards codes and practices.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is on Coolamber Park, an established residential area. The development comprises an attic conversion and dormer extension.

Having regard to:

- the small residential scale of the development,
- the location of the development in an established 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 proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Conclusion

It is noted that since the submission of the previous application, SD21A/0054, a new Development Plan has been adopted (3rd August 2022) resulting in a revised assessment of the proposal. On this basis, having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that the following **additional information** is required prior to a decision on the application:

- The roof of the dwelling should be amended to provide a front gable, of the same character of the existing dwelling on the site and the similar corner house constructed to the rear under S00A/0665
- Amend the boundary details to provide for a boundary wall of no more than 0.9m in front of the side window serving the living room

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- A detailed site layout plan, at a scale no less than 1:100, providing measurements for the site to allow for an accurate assessment of the rear amenity space provided to each dwelling. The site layout plan should also clearly indicate existing rear structures to be retained.
- A drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.
- A landscaping plan is required detailing landscape proposals for the site and quantifying and detailing the following:
 - tree and hedgerow removal;
 - tree and hedgerow retention;
 - new tree and hedgerow planting.
- If a soakaway is to be included, a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway is required.

Recommendation

Request Further Information.

Further Information

Further Information was requested on 22/08/22

Further Information was received on 20/12/22

Consultations

Public Realm	No objection, conditions recommended
Water Services	Clarification of additional information recommended
Irish Water	No objection, conditions recommended

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *Given the prominent corner location of the site, and the established pattern of roof profiles in the area, the side gable pitched roof orientation is not considered appropriate and would create an awkward impression of the house when viewed in the context of the adjoining dwelling. On this basis, the roof of the dwelling should be amended to provide a front gable, of the same character as the existing dwelling on the site and the similar corner house constructed to the rear under S00A/0665*
2. *To maximise the benefit of the windows on the side elevation fronting Coolamber Park to the north, the boundary wall should be amended to be no more than 0.9m in front of the living*

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room window on this elevation. The applicant is requested to submit revised boundary details to include this change.

- 3. The applicant has stated that the proposed dwelling would have a rear garden of 66 sq.m and the existing dwelling would retain a garden in excess of 120 sq.m. This cannot be verified based on the information currently provided as the site layout plan does not include any measurements against which the drawing can be scaled. The applicant is therefore requested to submit a detailed site layout plan, at a scale no less than 1:100, providing measurements for the site to allow for an accurate assessment of the rear amenity space provided to each dwelling. The site layout plan should also clearly indicate existing rear structures to be retained, noting the large rear shed in the middle of the garden serving the existing dwelling.*
- 4. To meet the requirements of Section 12.4.2 of the CDP 2022 - 2028, a landscaping plan is required detailing landscape proposals for the site and quantifying and detailing the following:*
 - tree and hedgerow removal;*
 - tree and hedgerow retention;*
 - new tree and hedgerow planting.*
- 5. If it is intended to include a soakaway, the applicant is requested to submit a revised drawing showing 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:*
 - i) At least 5m from any building, public sewer, road boundary or structure.*
 - ii) Generally, not within 3m of the boundary of the adjoining property.*
 - iii) Not in such a position that the ground below foundations is likely to be adversely affected.*
 - iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
 - v) Soakaways must include an overflow connection to the surface water drainage network.*

Assessment

Item 1 – Roof Profile

The applicant has amended the roof profile to provide a pitched roof with gables to the front and rear. This is considered more appropriate and is acceptable.

Item 2 – Boundary Wall

The boundary wall has been amended to provide a lower level along the side elevation, maximising the benefit of windows on this elevation, increasing in height to maintain the rear gardens privacy. This is considered acceptable.

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Item 3 – Rear Amenity

The applicant has provided drawings of a greater detail in relation to rear amenity space, confirming that the requirements of the Development Plan would be met for both the existing and proposed dwellings. This is acceptable.

Item 4 – Landscaping Plan

The applicant has not provided any additional landscaping proposals. The Public Realm section have recommended the following **condition** to address this deficiency:

1. Landscape and GI Plan

- (i) There are concerns with the lack of information submitted in terms of a landscaping scheme and boundary treatment for the proposed development. The applicant is requested to provide a landscape design including details of boundary treatment for the proposed development.*
- (ii) In addition, the applicant is required to provide a GI Plan – in the case of small-scale developments this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which may allow the site to act as a local stepping stone.*

The Public Realm section have also recommended **conditions** relating to tree protection and a tree bond, which, as previously stated should be included in the event of a grant. A **condition** requiring an elevation of the front boundary treatment; however, this is not required as the applicant has submitted this as part of the **additional information** request, and this is considered acceptable.

Item 5 – SuDS

The Public Realm section have reviewed the submission in relation to SuDS and have recommended the following **condition** is included in the event of a grant:

1. Sustainable Drainage Systems

- a. The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.*
- b. In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates and showing what SuDS (Sustainable Drainage Systems) are proposed.*
- c. SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.*

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- d. *Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development. Note: If tree pits are proposed, SuDS bioretention Tree pits to be installed in trees within /draining areas of hard standing. Tree Pits to incorporate SuDS bioretention features and sufficient growing medium. SuDS details need to show how the water drains from the road/pavement hard surface into the SUDS tree pit, clearly outlining how SuDS features within the tree pits will function. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.*
- e. *The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m³ . Show in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m² are proposed such as, green roofs, permeable paving, buildings, roads and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.*

Water Services have reviewed the submission and have recommended clarification of additional information because no soil percolation test results have been provided. The wording of the clarification is unchanged from the initial additional information request. As this is the only item, it is considered that this can be dealt with by **condition**. The requirement for a SuDS Management Plan is considered onerous for the scale of development and should be omitted.

Conclusion

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

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Other Considerations

Development Contributions

Are any exemptions applicable?	No
Is development commercial or residential?	Residential
Standard rate applicable to development:	119.10
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€119.10
Area of Development (m2)	137
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	137
Total development contribution due	€16,316.70

SEA Monitoring Information

Building Use Type Proposed:	New Dwelling
Floor Area:	137 sq.m
Land Type:	Urban Consolidation
Site Area:	0.0216 Hectares.

Conclusion

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

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.

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SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
 - a) 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 20/12/2022, save as may be required by the other conditions attached hereto.
 - b) 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 (extensions to dwellings) or Class 3 (sheds/garages) of Part 1 of Schedule 2 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.
REASON: 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. Roads and Access
 - A. 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.
 - B. The driveway shall not exceed 3.5m in width and boundary walls at the vehicle access point 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. Any gates shall open inwards and not out over the public domain.
 - D. If the tree marked to be removed remains, a distance of 600mm shall be maintained between the footpath and tree located in the grass verge in order to protect the tree.
REASON: In the interests of the proper planning and sustainable development of the area
4. 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.

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5. Landscape and GI Plan

Prior to the commencement of development the applicant shall submit the following for the written agreement of the Planning Authority:

(i) a landscape design including details of boundary treatment for the proposed development.

(ii) a GI Plan – in the case of small-scale developments this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which may allow the site to act as a local stepping stone.

REASON: In the interests of visual amenity and to ensure that new development meets minimum standards for the provision of GI, in accordance with policy GI5 Objective 4 and other relevant policies of the CDP 2022-2028

6. Tree Protection

Prior to the commencement of development the applicant shall submit the following for the written agreement of the Planning Authority:

a) outline of the tree protection measures to be employed in accordance with BS5837:2012: in order to ensure the protection of the existing trees located within the grass margin outside the property:

b) The existing street tree located within the grass margin shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction;

c) Any works within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed access beneath the branch spread or within the exclusion fencing. Any trees that are damaged or felled during construction work must be replaced with semi mature trees of the same or similar species.

REASON: To ensure the safety and well-being of the trees, in accordance with relevant policies of the CDP 2022-2028

7. Tree Bond

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

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

REASON: In the interest of the proper planning and sustainable development of the area,

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street-tree protection, and the maintenance of the county's green infrastructure

8. Sustainable Drainage Systems

(a) The applicant shall demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.

(b) In relation to SUDS, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates and showing what SuDS (Sustainable Drainage Systems) are proposed.

(c) Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development. Note: If tree pits are proposed, SuDS bioretention Tree pits to be installed in trees within /draining areas of hard standing. Tree Pits to incorporate SuDS bioretention features and sufficient growing medium. SuDS details need to show how the water drains from the road/pavement hard surface into the SUDS tree pit, clearly outlining how SuDS features within the tree pits will function. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

(d) The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m³ . Show in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m² are proposed such as, green roofs, permeable paving, buildings, roads and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with relevant policies and objectives contained within the current County Development Plan.

9. Surface Water and SuDS

A) There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

B) The applicant is required to submit a revised drawing showing 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:

- i. At least 5m from any building, public sewer, road boundary or structure.
- ii. Generally, not within 3m of the boundary of the adjoining property.

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iii. Not in such a position that the ground below foundations is likely to be adversely affected.

iv. 10m from any sewage treatment percolation area and from any watercourse / floodplain.

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

C) The applicant shall consider including SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Rain Gardens, Planter boxes with overflow connection to the public surface water sewer.
- Water Butts
- Grasscrete

REASON: To ensure adequate provision is made on site for the attenuation of surface water

10. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €16, 316.70 (Sixteen Thousand Three Hundred and Sixteen Euros and Seventy Cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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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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.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.


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REG. REF. SD22A/0287

LOCATION: 67, Coolamber Park, Knocklyon, Dublin 16



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 19/01/23 _____



Gormla O'Corrain,
Senior Planner