

# Comhairle Chontae Atha Cliath Theas

**PR/0054/23**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22B/0505      **Application Date:** 18-Nov-2022  
**Submission Type:** New Application      **Registration Date:** 18-Nov-2022  
**Correspondence Name and Address:** Andy O'Brien Sandyhills, Dunlavin, Co. Wicklow  
**Proposed Development:** Increase the overall height of the existing front boundary wall to a proposed height of 2m; completed wall will be the same specification as the existing wall.  
**Location:** 3, Woodbrook Park, Templeogue, Dublin 16  
**Applicant Name:** John & Linda Hogan  
**Application Type:** Permission

(AOCM)

### **Description of Site and Surroundings:**

Site Area: stated as 0.25 hectares.

### **Site Description:**

The application site comprises a corner site at the confluence of Woodbrook Park and Butterfield Avenue. The site comprises a semi-detached dwelling with a large driveway to the front with an access/egress directly from the corner of the site. The boundary comprises a low wall with mature vegetation within the site boundary.

### **Proposal:**

**Permission** is sought for the following:

- Increase overall height of front boundary wall to 2m

### **Zoning:**

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

### **Consultations:**

Roads:	<b>Refusal</b> recommended
Water Services:	No report received
Irish Water:	No report received

### **SEA Sensitivity Screening**

Indicates overlap with SFRA B 2016.

# Comhairle Chontae Atha Cliath Theas

**PR/0054/23**

## **Record of Executive Business and Chief Executive's Order**

### **Submissions/Observations /Representations**

Submission expiry date – 2 January 2023

No submissions or observations were received.

### **Relevant Planning History**

**SD06B/0280:** Front porch, two storey side extension, side garage, rear sun room and all associated services: gross floor area of existing dwelling and garage is 123.5 sq.m: total floor area of dwelling with proposed extension, including garage, is 243.5 sq.m. **Permission granted.**

### **Relevant Enforcement History**

No recent recorded action for subject site.

### **Pre-Planning Consultation**

None recorded for subject site.

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

*Chapter 4 Green Infrastructure*

*Section 4.1 Methodology*

*G11 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.*

*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.*

# Comhairle Chontae Atha Cliath Theas

**PR/0054/23**

## **Record of Executive Business and Chief Executive's Order**

*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 5 Quality Design and Healthy Placemaking*

*QDP6 Objective 7: To ensure, in so far as is practical, that all boundary walls in new residential developments are of a similar height and of a high quality where they are bordered on either side by a public footpath or an area that has been or is due to be taken-in-charge in order to leverage the opportunity to improve the quality of boundary treatments*

*Chapter 12 Implementation and Monitoring*

### **Relevant Government Guidelines**

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

***Regional, Spatial & Economic Strategy 2020-2032 (RSES)***, Eastern & Midlands Regional Assembly (2019)

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

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

### **Assessment**

The main issues for assessment concern the following:

- Zoning and Council Policy
- Residential and Visual Amenity
- Sustainable Movement
- 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.'*

Residential development is permitted in principle under this zoning category.

# Comhairle Chontae Atha Cliath Theas

PR/0054/23

## Record of Executive Business and Chief Executive's Order

### Residential and Visual Amenity

The applicant is proposing to increase the height of the front boundary wall from approximately 0.95m to 2m. The applicant has not provided a rationale for these works.

The surrounding area is characterised by semi-detached two-storey dwellings, all with similar front boundary treatments, comprising a low wall with vehicular entrance. The property is on the confluence of Butterfield Avenue and Woodbrook Park and would therefore visually impact both roads.

While it relates to new development, QDP6 Objective 7, is considered a relevant guide for the appropriateness of boundary treatments for dwellings. QDP6 Obj. 7 states that '*all boundary walls in new residential developments are of a similar height and of a high quality where they are bordered on either side by a public footpath or an area that has been or is due to be taken-in-charge in order to leverage the opportunity to improve the quality of boundary treatments*'. The guiding principle of high quality and similarly designed boundary treatments is applicable in established residential areas also, and the proposal would not comply with this principle.

It is considered that the increased height would reduce passive surveillance of the public realm, be out of character with the area and pose a potential traffic hazard as a result of reduced forward visibility from the site, discussed below. On this basis, this application should be **refused**.

### Sustainable Movement

The Roads department have reviewed the application and have recommended **refusal** for the following reason:

*SDCC Roads Dept. deems that the proposed raising of the boundary wall to 2m would reduce forward visibility for vehicle egressing the site which would endanger public safety by reason of a traffic hazard.*

In their submission, the applicants have not considered the impact on visibility that the proposed wall would have on the safety of access and egress to and from the site, instead focusing on external visibility. It is considered that the increase in the height of the front boundary wall would significantly impact visibility from the site, with vehicles existing the property being very restricted in views in relation to both pedestrian and vehicular movement. This would present an unacceptable traffic hazard and it is agreed that the application should be **refused** on this basis.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0054/23**

## **Record of Executive Business and Chief Executive's Order**

### **Green Infrastructure**

The site appears to be located within a Primary GI Corridor, as per Figure 4.4 of the Development Plan.

The site has some vegetation along the boundary, and it is not clear how this would be impacted by the heightening of the wall.

The heightening of the wall would not increase the area of hardstanding at the site, and it is not considered, therefore, that there would be a significant impact in terms of additional surface water runoff as a result of the development.

### **Water Supply and Wastewater**

Given the nature of the development, it is not considered that there would be any impact to Irish Water infrastructure.

### **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 a serviced urban area and relates to the increasing in height of a boundary wall.

Having regard to:

- the scale and nature of the development,
- the location of the development, and
- the consequent distance from the site to qualifying European sites,

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 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**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design of the development proposed and the responses of relevant consultees, it is considered that the development would be contrary to the proper planning and sustainable development of the area by way of traffic hazard. It is considered that the reduction

# **Comhairle Chontae Atha Cliath Theas**

**PR/0054/23**

## **Record of Executive Business and Chief Executive's Order**

in forward visibility from the site would pose a significant risk to pedestrians, cyclists and other vehicles and the development should therefore be **refused**.

### **Recommendation**

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

### **SCHEDULE**

#### **REASON(S)**

1. The raising of the front boundary wall to 2m would reduce forward visibility for vehicle egressing the site which would endanger public safety by reason of a traffic hazard. The development would also be visually out of character with the area, where boundary treatments are relatively uniform, and would have a negative visual impact on the public realm. The development would therefore not be in the interests of the proper planning and sustainable development of the area.

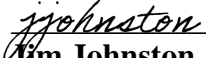
# Comhairle Chontae Atha Cliath Theas

PR/0054/23

## Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0505

LOCATION: 3, Woodbrook Park, Templeogue, Dublin 16

  
\_\_\_\_\_  
Jim Johnston,  
Senior Executive Planner

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

**Date:** 18/01/23

  
\_\_\_\_\_  
Gormla O'Corrain, Senior Planner