

# Comhairle Chontae Atha Cliath Theas

**PR/0094/23**

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

**Reg. Reference:** SD22A/0356      **Application Date:** 12-Sep-2022  
**Submission Type:** Additional      **Registration Date:** 22-Dec-2022  
Information

**Correspondence Name and Address:** Armstrong Fenton Associates Unit 13, The Seapoint Building, 44/45, Clontarf Road, Dublin 3

**Proposed Development:** Development on a site located south of Oldcourt Road, which forms part of all overall permitted residential development granted under Ref. SD17A/0468 & has the approved name of Ballycullen Gate; The proposed development consists of changes of dwelling type and increase in unit number from 17 permitted houses to 24 proposed houses; The proposed dwellings are comprised of the following: 5 three bed detached bungalows; 1 two bed detached bungalow; 2 two bed semi-detached bungalows; 1 two storey, 4 bed, detached house; 1 two storey, 3 bed, detached house; 2 two storey, 2 bed, semi-detached houses & 12 two storey, 3 bed, semi-detached houses; The proposed development also includes for all associated site development works, car parking, open spaces, and landscaping, on a site area of c. 0.88 ha. The proposed development will have the effect of modifying extant permission Ref. SD17A/0468 which has an overall site area of 3.8 hectares.

**Location:** Oldcourt Road, Firhouse, Dublin 24.

**Applicant Name:** Capami Ltd

**Application Type:** Permission

(CS)

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

The site consists of agricultural land which was previously organised via traditional field boundary hedgerows. The land is currently in the early stages of development as per the existing permission (SD17A/0468) and the adjoining permission for the main link street (SD17A/0041, PL06S.249367) through the area. The site falls from a high point in the south west (c.126 ordnance datum) to a low point in the north east (c.107 ordnance datum), a difference of c.19 metres over a maximum site width of c.211 metres. The north western boundary of the site is formed by a ditch and hedgerow. A portion of the north eastern boundary abuts the Oldcourt

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Road, and a portion adjoins undeveloped agricultural lands and allotment lands. 220kv power lines run to the southwest of the site. There is a main link street located to the north of the site. The subject site will be accessed from Oldcourt Road via the permitted access road granted permission under reg. ref. SD17A/0468 that ties in with the permitted Main Link Street granted permission under reg. ref. SD17A/0041 & PL06S.249367.

### **Site Area**

Stated as 0.88 Ha.

It is noted the site area for previously refused SD22A/0157 was stated as 0.82 Ha. This current application (SD22A/0356) has extended the red line boundary for the northern element so that it is now located further westwards where it now abuts the blue line boundary similar to the shape of the red line boundary for previously permitted SD17A/0468 for 17 no. houses.

SD22A/0157: Site Location Map (26 no. houses Refused Permission).



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SD22A/0356: Site Location Map (24 no. houses proposed)



SD17A/0468: Site Location Map (areas showing 17 no. houses permitted as part of 64 unit development)



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### **Proposed Development**

The proposed development comprises of the following:

- Development on a site located south of Oldcourt Road, which forms part of a larger overall permitted residential development granted under Ref. **SD17A/0468** (64 no. houses in total) & has the approved name of Ballycullen Gate.
- The proposed development will have the effect of modifying extant permission Ref. SD17A/0468 which has permission for **64 no. houses**, and which has an overall site area of 3.8 hectares. The total number of units on the site relevant to the extant permission SD17A/0468 will increase from 64 to 71 no. units.
- The proposed development consists of changes of dwelling types and increase in unit numbers from 17 permitted houses (SD17A/0468) to 24 no. houses for a section of the permitted development.
- The proposed dwellings are comprised of following:
  - 5 no. three bed detached bungalows;
  - 1 no. two bed detached bungalow;
  - 2 no. two bed semi-detached bungalows;
  
  - 1 no. two storey, 4 bed, detached house;
  - 1 no. two storey, 3 bed, detached house;
  - 2 no. two storey, 2 bed, semi-detached houses;
  - 12 no. two storey, 3 bed, semi-detached houses;

### **Schedule of Accommodation (SD22A/0356)**

Schedule of Accommodation - Proposed Change of Housetype			
Unit A	3 Bedroom Semi Detaced House	111 m <sup>2</sup>	11
Unit A1	3 Bedroom Semi Detaced House	111 m <sup>2</sup>	1
Unit B	2 Bedroom Semi Detached Dormer House	97 m <sup>2</sup>	2
Unit C	3 Bedroom Bungalow	96 m <sup>2</sup>	5
Unit C1	2 Bedroom Bungalow	83 m <sup>2</sup>	1
Unit C2	2 Bedroom Bungalow	83 m <sup>2</sup>	2
Unit D	3 Bedroom Detached House	111 m <sup>2</sup>	1
Unit E	4 Bedroom Detached House	161 m <sup>2</sup>	1
<b>TOTAL</b>			<b>24 No. Units</b>



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- The proposed development also includes for all associated site development works, car parking, open spaces, and landscaping, on a site area of c. 0.88 ha.
- It is noted the site area for previously refused SD22A/0157 (26 no. units) was stated as having a site area of 0.82 Ha whereas the site area stated for this current application is 0.88Ha for 24 units.
- The application would decrease the number of units from 26 (reg. ref. SD22A/0157 – recently refused) to 24 (current application SD22A/0356). This represents a reduction of 2 no. housing units.
- The current application (SD22A/0356) would **increase the number of units by 7** from the previously permitted (SD17A/0468) which was granted for 17 units for the section of the site outlined in red for this current application.
- Proposed works measure 2,527sq.m. (as stated).

It is noted that when comparing the schedule of accommodation for this current application (SD22A/0356) with the schedule of accommodation for (SD22A/0157 - refused) that **2 no. 3 bedroom bungalows (Unit C3 - 96sq.m. each) have now been omitted.**

The schedule of accommodation has also changed in that this current application (SD22A/0356) will now only have 2 no. Unit B Types (2 bedroom semi-detached dormer) whereas SD22A/0157 proposed for 6 no. Unit B Types. This current application (SD22A/0356) will now have 5 no. Unit C Types (3 bedroom bungalow) whereas (SD22A/0157) proposed for 1 no. Unit C Type.

### Schedule of Accommodation (SD22A/0157)

Schedule of Accommodation - Proposed Change of Housetype			
Unit A	3 Bedroom Semi Detached House	111 m <sup>2</sup>	11
Unit A1	3 Bedroom Semi Detached House	111 m <sup>2</sup>	1
Unit B	2 Bedroom Semi Detached Dormer House	97 m <sup>2</sup>	6
Unit C	3 Bedroom Bungalow	96 m <sup>2</sup>	1
Unit C1	2 Bedroom Bungalow	83 m <sup>2</sup>	1
Unit C2	2 Bedroom Bungalow	83 m <sup>2</sup>	2
Unit C3	3 Bedroom Bungalow	96 m <sup>2</sup>	2
Unit D	3 Bedroom Detached House	111 m <sup>2</sup>	1
Unit E	4 Bedroom Detached House	161 m <sup>2</sup>	1
<b>TOTAL</b>			<b>26 No. Units</b>

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Schedule of Accommodation SD17A/0468 (section identifying 17 no. units).

Schedule of Accommodation - Permitted Housetypes			
Unit A	3 Bedroom Semi Detached House	111 m <sup>2</sup>	4
Unit B	2 Bedroom Semi Detached Dormer House	97 m <sup>2</sup>	0
Unit C	3 Bedroom Bungalow	96 m <sup>2</sup>	10
Unit C1	2 Bedroom Bungalow	83 m <sup>2</sup>	3
Unit D	3 Bedroom Detached House	111 m <sup>2</sup>	0
Unit E	3 Bedroom Detached House	161 m <sup>2</sup>	0
<b>TOTAL</b>			<b>17 No. Units</b>

### **Zoning:**

The site is zoned objective 'RES-N' – 'To provide for new residential communities in accordance with approved area plans,' under the South Dublin County Development Plan 2022-2028.

### **Consultations**

Irish Water – **Additional Information** recommended.

Surface Water Drainage – **Additional Information** recommended.

Roads Department – **Additional Information** recommended.

SDCC Social Housing Department – No objections subject to **conditions**.

Public Lighting – No comment to make following review of application.

Waste Management – No objections subject to **conditions**.

Environmental Health – Acceptable subject to **conditions**.

Air Corp – No report received to date.

### **SEA Environmental Sensitivity Screening**

No overlap is recorded in the SEA monitoring system.

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

None

### **Planning History**

**SD22A/0157: Permission refused for:** On site which forms part of an overall permitted residential development under Ref. SD17A/0468 & has the approved name of 'Ballycullen Gate'; The proposed development consists of a change of dwelling type and **increase in number from 17 permitted houses to 26** proposed houses; The proposed dwellings are comprised of 12 three bed semi-detached 2 storey houses, 6 two bed semidetached dormer houses, 6 two & three bed detached & semi-detached bungalows, 1 three bed detached 2 storey house and 1 four bed split

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level detached house; The proposed development also includes for all associated site development works, car parking, open spaces and landscaping, on a site area of 0.82ha; The effect of the proposed development will be a modification to an extant permission under Ref. SD17A/0468.

### Permission was refused for the following reason:

#### Density and Local Area Plan

The proposed development would increase the density to 32 DpH, in excess of the 23 DpH that can reasonably be regarded as the maximum density on the subject lands under the Ballycullen – Oldcourt LAP, or the 28 DpH maximum density that would apply to

Mid Slopes lands only. This would contravene Objectives LUD6 and LUD7 of the Ballycullen-Oldcourt Local Area Plan 2014. In addition, the following aspects of the proposal would not comply with the relevant policies and objectives of the Local Area Plan or the County Development Plan with respect of residential development at this location, or would for reasons of process be contrary to the interests of proper planning and sustainable development:

- The interface and link between this site and the main link street to the north-west has not been addressed in the application. A grant of permission to this development would provide for a disconnected urban layout with leftover and superfluous junction spur on the main link street, and a poor connection into the subject site for pedestrians and cyclists.
- Proposed units 7, 8, 9 and 10 would breach the recommended height of 1 storey on the upper slopes lands as per Objective LUD7 of the Local Area Plan, and would subsequently disrupt the landscape character of the area which has been carefully considered and addressed in the Local Area Plan.
- The applicant has not provided any information in relation to sustainable drainage systems.

**SD17A/0468** (Parent Permission): Residential development comprising **64 dwellings on a site area of 3.8ha** located south of Oldcourt Road. Access the development will be via a proposed new vehicular entrance from Oldcourt Road consisting of: 48 houses and 16 apartments comprising one 2 storey, 3-bed detached house, 24 2 storey, 3-bed semi-detached houses, 10 dormer, 2-bed semi-detached houses, 13 2-bed bungalows and 16 2-bed apartments in three 2 storey buildings. The proposed development also includes all associated site development works, car parking, open spaces and landscaping.

Decision: **GRANT PERMISSION.**

**SD17A/0041, PL06S.249367:** Permission Granted by An Bord Pleanála (concurring with a decision of South Dublin County Council) for construction of the **Main Link Street** as shown in the Ballycullen - Oldcourt Local Area Plan 2014 with access onto the Oldcourt Road at Gunny Hill to the east and the Bohernabreena Road to the west.

- A portion of this link street runs through the North East of the subject site.
- This link street provides the main point of vehicular access for the proposed development.

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SD17A/0041: Extract from site location map (Main Link Street)



### **Enforcement History**

No recent relevant enforcement history recorded.

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

*Policy NCBH1: Overarching*

*Policy NCBH2: Biodiversity*

*Policy NCBH5: Protection of Habitats and Species Outside of Designated Areas*



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*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, 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 GI3: Sustainable Water Management*

*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.*

*Policy GI5: Climate Resilience*

*Policy QDP1: Successful and Sustainable Neighbourhoods*

*QDP1 Objective 3:*

*To protect the quality, ambiance, vibrancy and vitality of urban centres by promoting an appropriate mix of complementary and compatible day and night-time uses, including commercial, recreational, civic, cultural, leisure and residential uses.*

*QDP1 Objective 4:*

*To reinforce the network of urban centres as the appropriate locations for new mixed-use development, ensuring that the existing context including identified built and natural assets, urban design, integration and potential for connectivity fully informs development.*

*QDP1 Objective 5:*

*To promote the re-development of underutilised Local Centres within the County as new mixed use neighbourhood hubs continuing to provide for local retail and services in a manner which respects and consolidates the existing urban character of these areas ensuring adherence to the eight key design principles in 'The Plan Approach' including quality of design, integration, accessibility and connections to the surrounding areas.*

*Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods*

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*Policy QDP6: Public Realm*

*QDP6 Objective 3:*

*To promote and implement environmental and public realm improvements in existing town, village, district and local centres to a high standard and finish to ensure that the design addresses environmental quality, urban design, safety including the potential for anti-social behaviour, identity, and image.*

*Policy QDP7: High Quality Design – Development General*

*Policy QDP7: High Quality Design – Street Frontage*

*Policy QDP7: High Quality Design – Street Width and Height*

*Policy QDP7: High Quality Design – Adaptability and Inclusivity*

*Policy QDP8: High Quality Design – Building Height and Density Guide (BHDG)*

*QDP8 Objective 2:*

*In accordance with NPO35, SPPR1 and SPPR3, to proactively consider increased building heights on lands zoned Regeneration (Regen), Major Retail Centre (MRC), District Centre (DC), Local Centre (LC), Town Centre (TC) and New Residential (Res-N) and on sites demonstrated as having the capacity to accommodate increased densities in line with the locational criteria of Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) and the Urban Design Manual – Best Practice Guidelines (2009), where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of South Dublin County's Building Height and Density Guide that it is contextually appropriate to do so.*

*Policy QDP9: High Quality Design - Building Height and Density*

*Policy QDP10: Mix of Dwelling Types*

*Policy QDP11: Materials, Colours and Textures*

*Policy EDE8: Retail – Overarching*

*Policy EDE14: Retail - Local Centres*

*Maintain and enhance the retailing function of Local Centres.*

*EDE14 Objective 1:*

*To support the development and enhancement of local centres as sustainable, multifaceted, retail led mixed use centres, enhancing local access to daily retail needs, which do not adversely impact on or draw trade from higher order retail centres.*

*Policy H1: Housing Strategy and Interim Housing Need and Demand Assessment*

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### *H1 Objective 12:*

*Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:*

- there are unique site constraints that would prevent such provision; or*
- that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or*
- the scheme is a social and / or affordable housing scheme.*

*Note: Build-To-Rent (BTR) residential developments shall comply with the Sustainable Urban Housing: Design Standards for New Apartments (2020) (or any superseding Section 28 Ministerial Guidelines).*

*Policy H7: Residential Design and Layout*

*Policy H8: Public Open Space*

*Policy H9: Private and Semi-Private Open Space*

*Policy H10: Internal Residential Accommodation*

*Policy H11: Privacy and Security*

*Policy SM2: Walking and Cycling*

*Policy SM7: Car Parking and EV Charging*

*Policy COS5: Parks and Public Open Space – Overarching*

*Policy E3: Energy Performance in Existing and New Buildings*

*Policy IE2: Water Supply and Wastewater*

*Policy IE3: Surface Water and Groundwater*

*Policy IE7: Waste Management*

*Policy IE8: Environmental Quality*

*Policy IE9: Casement Aerodrome*

*12.3.1 Appropriate Assessment*

*12.3.2 Ecological Protection*

*12.3.3 Environmental Impact Assessment*

*12.4.1 Green Infrastructure Definition and Spatial Framework*

*12.4.2 Green Infrastructure and Development Management*

*12.5.1 Universal Design*

*12.5.2 Design Considerations and Statements*

*12.5.4 Public Realm: (At the Site Level)*

*12.6.1 Mix of Dwelling Types*

*12.6.7 Residential Standards*

*12.6.10 Public Open Space*

*12.7.1 Bicycle Parking / Storage Standards*

*12.7.4 Car Parking Standards*

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*12.7.5 Car Parking / Charging for Electric Vehicles (EVs)*

*12.11.1 Water Management*

*12.11.3 Waste Management*

*12.11.4 Environmental Hazard Management*

*12.11.5 Aviation, Airports and Aerodromes*

### **Ballycullen-Oldcourt Local Area Plan 2014**

- **LUD1**
- **LUD2**
- **LUD6**
- **LUD7**

### **National Policy**

The relevant policy documents are detailed below. The Planning Authority are of the opinion that of most significant relevance is the National Planning Framework (NPF). In this regard, National Strategic Outcome 1 of the NPF refers to and, stresses the importance, of 'Compact Growth'. The NPF states,

'From an urban development perspective, we will need to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages and ensuring that, when it comes to choosing a home, there are viable attractive alternatives available to people.'

The NPF indicated that the delivery of compact growth will be through National Policy Objective 2a, which states,

'A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs.'

and National Policy Objective 3a, which states,

'Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.'

The National Planning Framework also includes a specific Chapter, No. 6, entitled 'People, Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.



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### **Other Ministerial Guidelines and Policy**

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

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

**Rebuilding Ireland: Action Plan for Housing and Homelessness**, Government of Ireland (2016).

**Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities**, Department of Housing, Planning and Local Government (2020).

**Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas**, Department of the Environment and Local Government (2009).

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

**Urban Development and Building Heights Guidelines for Planning Authorities**, (2018)  
**Quality Housing for Sustainable Communities-Best Practice Guidelines**, Department of the Environment, Heritage and Local Government (2007).

**Design Manual for Urban Roads and Streets** Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

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

**The Planning System and Flood Risk Management - Guidelines for Planning Authorities**, Department of the Environment, Heritage and Local Government & OPW, (2009).

**Departmental Circulars**, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents

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- PL08/2020: Vacant Site Levy
- Circular NRUP 02/2021 - Residential Densities in Towns and Villages

**Circular Letter NRUP 03/2021** – s.28 Guidelines on the Regulation of Institutional Investment in Housing

### **Assessment**

The main issues for consideration are:

- Zoning & Council Policy
- Urban Design, Visual Impact & Layout
- Density
- Building Height
- Residential Amenity
- Landscaping
- Access & Parking
- Drainage
- Waste Management
- Environmental Health
- Public Housing
- Overcoming Previous Reasons for Refusal
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

### ***Zoning and Council Policy***

#### **County Development Plan Zoning Objective**

The site is subject to the 'RES-N' zoning objective in the South Dublin County Development Plan 20122 - 2028. The zoning objective reads:

“To provide for new residential communities in accordance with approved area plans.”

The zoning objective makes clear that the provisions of approved Local Area Plans should dictate the progress of development. This site is subject to the provisions of the Ballycullen-Oldcourt Local Area Plan 2014. On the 7th May 2019, by resolution, the Local Area Plan was extended for further period (in accordance with Section 19 of the Planning and Development Act 2000, as amended). The Local Area Plan will now expire 2nd June 2024.

### **Phasing**

The proposed application is an alteration to a permitted scheme (SD17A/0468 – 17 no. houses) and would not trigger new requirements under the LAP phasing.

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#### ***Urban Design, Visual Impact and Layout***

In general, the proposed changes make modest alterations to the streetscapes in the area.

The proposed development comprises intensification of permitted development within the permitted street network as granted under SD17A/0468. The proposal intensifies the permitted development by increasing the number of houses from 17 to 24 by replacing a number of houses with smaller houses on smaller plots.

It should be noted that 5 no. 3 bed detached bungalows that are included within the current red line of application (C Types) are the same houses already permitted and are known as No's 5,6,7,8& 9 Ballycullen Gate. However, they are shifted slightly westwards to facilitate the neighbouring houses to the right that are put forward for permission as part of this current application (SD22A/0356).

#### ***Density***

The subject site is located within the Mid and Upper Slope Lands of the Ballycullen/Oldcourt LAP. The Mid Slopes (LUD6) are designated Low Density (22-28 dwellings) and Upper Slope (LUD7) Lands are designated as Very Low Density (12-18 dwellings). It is noted the proposed increase in the number of dwelling units is lower than in the preceding amending permission that was refused on the basis of density. Taking into account that the proposed development straddles two differing density requirements, additional information is required to assess this issue.

#### ***Building Height***

As per Objective LUD7 of the LAP, the houses on the upper slopes should be 1 storey in height. As per Objective LUD6 of the LAP, the houses on the Mid Slope Lands shall be no more than 2 storeys. From the drawings submitted it can be seen that the applicant complies with this objective.

#### ***Residential Amenity***

##### Residential Standards

The Planning Authority is satisfied that the proposed houses comply with the relevant standards contained in the 'Quality Housing for Sustainable Communities - Best Practice Guidelines' (2007) and the County Development Plan.

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Table 1, below, provides a breakdown of the proposed schedule of accommodation and overall floor area of residential development:

House Type	Description	No. of Units	Floor Area (m <sup>2</sup> )	Total Floor Area (m <sup>2</sup> )
A	3 bedroom semi-detached house	11	111	1221
A1	3 bedroom semi-detached house	1	111	111
B	2 bedroom semi-detached dormer house	2	97	194
C	3 bedroom bungalow	5	96	480
C1	2 bedroom bungalow	1	83	83
C2	2 bedroom bungalow	2	83	166
D	3 bedroom detached house	1	111	111
E	4 bedroom detached house	1	161	161
<b>Total</b>		<b>24</b>		<b>2,527m<sup>2</sup></b>

Table 1 - Proposed Schedule of Accommodation

### Private and Public Amenity

It appears from the layout that all houses are well served by private amenity areas. The applicant states that the proposal does not affect the permitted public open space granted under reg. ref. SD17A/0468. The proposed gross floor areas of the dwellings and private open space provisions remain consistent with the required standard of the existing CDP.

### ***Landscaping***

The Parks Department have sought further information on several items as follows:

#### ***1. Landscape Design Proposals***

*There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:*

- i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.*
- ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.*



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- iii. *The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.*
- iv. *Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site*
- v. *Demonstrate how natural SUDs features can be incorporated into the design of the proposed Development.*
- vi. *Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDs measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.*
- vii. *The applicant shall provide play and recreation opportunities for children and teenagers as appropriate to the scale and character of proposed development. Proposals shall be submitted in the form of a Proposed Play Rationale and Layout Plan (separate to, but related to the Landscape Masterplan), using Nature-based Solutions. The Layout Plan shall comprise the following:-*
  - *showing types of play and play area(s),*
  - *target age groups,*
  - *landform (included levels and contours) and boundaries,*
  - *gates and planting,*
  - *design and construction details of play opportunities and facilities in respect of landform, planting, boundaries, equipment, and safety surface.*
  - *All play equipment and ancillaries shall conform to European Standards EN 1176 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height).*

### **2. Existing Trees and Hedgerows**

*The applicant is requested to submit an updated comprehensive Tree Report for the proposed development site to the SDCC Public Realm Section. This shall comprise of detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist and shall include all of the following:*

**(i) Tree Survey Plan:** *all trees and hedges on and adjacent to the subject site (i.e., within falling distance thereof) shall be accurately plotted, tagged and shown on a scaled drawing of a topographical survey of the site.*

**(ii) Tree Survey Schedule:** *a summary of the surveyed trees and hedges, giving a breakdown of their tag nos., species, size, age, condition and useful life expectancy.*

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*(iii) **Arboricultural Impact Assessment:** a thorough, detailed and realistic analysis and assessment of the likely impacts of the proposed development on the surveyed trees and hedges; along with a summary table of the tree population and quantification of impacts/losses etc. (total number surveyed and total numbers/percentage to be retained and felled respectively).*

*(iv) **Design Iteration- Adjustments, Revisions to Proposed Site Layout:** subsequent to and arising from the Impacts Assessment, the applicant's design team [especially arborist, consulting architect(s) and engineer(s)] shall demonstrate in their submission, that it has sufficiently explored and investigated layout alternatives, to achieve an optimal solution that meets South Dublin County Councils Tree Strategy and its Development Plan standards in respect of tree preservation and tree retentions, as appropriate*

*(v) **Tree Constraints Plan:** a scaled site plan (1:500@A1) showing the impacts of all surveyed trees in relation to the site layout of the proposed development.*

*(vi) **Tree Protection Plan:** a scaled site plan (1:500@A1) of the proposed development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed ; showing alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant, equipment and materials storage. Root Protection Areas (RPAs') of all trees and hedgerows to be clearly shown on this drawing.*

*(vii) **Arboricultural Method Statement:** clear and practically achievable measures to be used during the construction period, for the protection and management of all trees and hedges that are to be retained, as shown in the Tree Protection Plan.*

*(viii) **Summary Table:** Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.*

*(ix) The applicant is requested to submit pictures of the existing trees/hedgerows subject to any tree protective fencing. This shall include a location map of where each picture was taken from.*

*(x) Arborist's name, arboricultural qualifications and contact details.*

*(xi) Date that the survey was carried out (surveys > 12 months are unacceptable).*

### **3. OPEN SPACE PROVISION**

*Insufficient information has been submitted in relation to proposed open space provision with the Development. Under section 8.7.3 of the 2022-2028 CDP the overall standard for public open space is 2.4 hectares per 1,000 population. This will be applied to all developments with a residential element, such as the subject proposal. Within that standard, there are specified percentages as set out in Table 8.2 which must, as a minimum, be provided on site. Under Table 8.2 the specified percentage of open space for the proposed development is a minimum of 15% of the site area. The applicant is therefore requested to provide in tabular form a clear breakdown of the open space provision within the proposed development. If the applicant intends to provide the full public open space onsite, a significant redesign of the open space is required. This space should be of a higher quality, easily accessible from the public realm, pedestrian and cyclist permeable, contribute to biodiversity etc. A taking in charge drawing shall be provided showing proposed areas of public open space as part of the applicant's response.*

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### **4. SUDS**

*There is a lack of information in terms of the SuDS (Sustainable Drainage Systems) features planned for the proposed development. The applicant is requested to submit the following:*

- (i) A drawing to show how surface water shall be attenuated to greenfield run off rates.*
- (ii) Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drain, bio-retention tree pits, rains gardens, swales or other such SuDS.*
- (iii) 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.*
- (iv) Additional 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 provide the following:*
  - a. Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.*
  - b. Tree pits incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground.*
  - c. It is unclear how much attenuation in total is provided by the proposed bioretention tree pits for the development. The applicant shall submit a report and drawing showing how much surface water attenuation in m<sup>3</sup> is provided for the development.*
  - d. 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 Landscape and SUDS Management and Maintenance Plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and proposed SUDS features for the approval of the Public Realm Section.*
  - f. Underground attenuation tanks are only permitted in exceptional circumstances and where all other natural SUDS measures have been utilised. If all other methods have been utilised and it is demonstrated that underground attenuation is required, it cannot be proposed under public open space areas and such areas will not be taken in charge by Public Realm. SUDS measures are only accepted as an element of public opens space where they are natural in form and integrate well into the open space landscape supporting a wider amenity and biodiversity function.*

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### **5. Green Infrastructure**

*The applicant is requested to submit a Green Infrastructure Plan which shall be submitted as part of the suite of Landscape Plans that are required for a development. The Green infrastructure Plans should include the following information:*

- *Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County.*
- *Site survey and analysis, identifying existing GI Infrastructure and key assets within the site.*
- *Indicate how the development proposals link to and enhance the wider GI Network of the County.*
- *Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site.*
- *Proposals for identification and control of invasive species where appropriate, for the site*

### **6. Ecology**

*The applicant shall provide information as to the ecology present on site and potential impacts of the development and proposed mitigation measures. The applicant is requested to undertake a comprehensive ecological survey of the site to ascertain if any protected species are present. The results of the survey shall be submitted with details of the provision and implementation of ecological mitigation to protect any protected species if found to be present.*

### **7. Green Space Factor (GSF)**

*A Green Space Factor (GSF) Worksheet shall be submitted by the applicant for the proposed development detailing how they have achieved the appropriate the minimum Green Space Factor (GSF) scoring established by their land use zoning. Minimum required scores for different land use zonings are included in Table 1 below.*



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Table 1: Minimum Green Space Factor Scores for Land Use Zonings.

Zoning	Minimum Score
Res	0.5
RES-N	0.5
SDZ	0.5
REGEN	0.5
TC	0.5
DC	0.5
VC	0.5
MRC	0.5
LC	0.5
EE	0.5
RW	0.5
HA-DM	0.7
HA-LV	0.7
HA-DV	0.7
OS	0.7
RU	0.7

*Developers can improve their green factor score by retaining existing landscape features and incorporating new landscape features and GI interventions. Completed Green Space Factor (GSF) worksheets should be submitted to SDCC with the Green Infrastructure Plan and Landscape Plan for a proposed development. See link to the Green Space Factor Worksheet Related Documents - SDCC*

#### **8. Street Trees**

*Street trees shall be provided fully in Public Realm areas and not within private or management company driveways and include SUDS features. All streets should be tree lined and include SUDS tree pits. DMURs requires street trees every 14-20 m along streets, and this has not been achieved. A specific street tree planting plan should be submitted for agreement with the Public Realm.*

Further information is required in relation to the foregoing.

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### ***Access & Parking***

The Roads Department seek further information:

### **Description:**

*Development on a site located south of Oldcourt Road, which forms part of all overall permitted residential development granted under Ref. SD17A/0468 & has the approved name of Ballycullen Gate; The proposed development consists of changes of dwelling type and increase in unit number from 17 permitted houses to 24 proposed houses.*

### **Access:**

*The possible future 2<sup>nd</sup> vehicular access to the west has been removed. The applicant has clarified that this was “merely illustrated under the parent permission to show how it could be provided in the future as part of the development of the adjoining third party lands”.*

*SDCC Roads Dept. are satisfied that the removal of this entrance will not have a negative impact on traffic movement within the estate, nor for traffic accessing/egressing the estate.*



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### Permeability:

*The applicant has provided a layout drawing showing a pedestrian link from the North West of the site towards the main link street, along with a potential connecting pedestrian path on the adjoining privately owned land.*

*The applicant should provide a revised drawing which includes a formal two-way cycle and pedestrian connection that connects with the main link street.*



### Car Parking:

*All car parking is in-curtilage and complies with the Maximum Parking Rates in Table 12.26 of SDCC Development Plan 2022-2028. Each house (2 & 3 bedroom units) is provided with 2 No. car parking spaces each which is acceptable.*

*All car parking areas have a minimum acceptable length of 6m.*

### Taking in Charge:

*A taking in charge drawing should be supplied which clearly shows the areas to be offered for taking in charge by South Dublin County Council.*

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Roads recommend that **additional information** be requested from the applicant:

1. *The applicant shall submit a revised layout of not less than 1:200 scale which shows a formal two-way cycle and pedestrian connection that connects with the main link street and is designed in line with the Nation Cycle Manual standards.*
2. *The applicant shall submit a taking in charge drawing of not less than 1:200 scale which clearly shows the areas to be offered for taking in charge to South Dublin County Council.*

Additional information is required in relation to the foregoing.

SD17A/0468: Proposed Site Layout Following AI



### ***Services & Drainage***

Both Irish Water and Surface Water Drainage have issued reports recommending **additional information** be requested. An extract taken from the Surface Water Drainage report states the following:

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*Surface Water Report: **Further Information** Required:*

*1.1 There is no report showing surface water attenuation calculations for proposed development. Submit a report showing surface water attenuation calculations for proposed development. Clarify what capacity there is in all attenuation systems being used.*

*If an attenuation system is already being used by a different development submit design calculation of all development using such a surface water system.*

*1.2 Surface water should be attenuation by means of SuDS (Sustainable Drainage Systems) first. Only where SuDS does not provide sufficient surface water attenuation and only in exceptional circumstances shall underground attenuation systems be considered of an arched type system.*

*Examples of SuDS and this is not an exhaustive list include:*

- Green roofs or blue roofs*
- Permeable Paving*
- Grasscrete*
- Swales*
- Rain Gardens , Planter boxes Water Services Planning Report*
- Filter drains*
- Other such SuDS*

*Examples of SuDS can be found in South Dublin County Council Website at:*

*[sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](#)*

*Submit a drawing in plan and cross-sectional view showing design details of all proposed SuDS systems.*

*1.3 Submit a report and drawing showing a flow route analyses of proposed site. A proposed SuDS system should take account of existing flow route of the site.*

*Examine how surface water flows can be managed at or above ground level.*

*Surface water discharge should be to green field run off rates or 2 litres/second/hectare whichever is greater.*

*Flood Risk No objection.*

*Prior to commencement of development submit a report to comment on the flood risk if any of proposed development.*

- The Developer shall ensure that there is complete separation of the foul and surface water drainage systems within the site, both in respect of installation and use.*
- All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.*
- All works for this development shall comply with the requirements of the Greater*

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*Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from the South Dublin County Council website at the following link  
<http://www.sdcc.ie/sites/default/files/publications/greater-dublin-regional-code-of-practice-for-drainage-works.pdf>*

*Water Report: Referred to IW*

*Foul Drainage Report: Referred to IW*

Having regard to the lack of information submitted in relation to Surface Water Drainage requirements, additional information is required.

### **1 Water**

*1.1 Submit a confirmation of feasibility letter from Irish Water for proposed development to South Dublin County Council*

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

*REASON: In the interest of public health and to ensure adequate water facilities.*

### **2 Foul**

*2.1 Submit a confirmation of feasibility letter from Irish Water for proposed development to South Dublin County Council.*

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

*REASON: In the interest of public health and to ensure adequate water facilities.*

Having regard to the lack of information submitted in relation to Irish Water requirements additional information is required.



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### ***Waste Management***

A report was received from SDCC Waste Management recommending no objections subject to **conditions**. An extract taken from the Waste Management report states the following:

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**Report Date:** 17<sup>th</sup> October 2022

This development forms part of all overall permitted residential development granted under Ref. SD17A/0468. It is noted that a Construction Waste Management Plan was submitted as conditioned in this application. The requirements of this Waste Management Plan shall also apply to this revised development.

Applicant shall be aware of the updated EPA Guidance Document titled *Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021)* in the revision and application of waste management activities during the construction period.

All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Signed:** Colum Fagan, Senior Executive Engineer  
Waste Management & Compliance

**Date:** 17<sup>th</sup> October 2022

It is considered appropriate to attach the above **conditions** in the event of a grant. The **condition** relating to a Construction Waste Management Plan as per previously permitted SD17A/0468 shall also be attached in the event of a grant.

### ***Environmental Health***

A report was received from Environmental Health (EHO) recommending the proposal to be acceptable subject to **conditions**. An extract taken from the EHO states the following:

#### ***Decision:***

*Noise pollution and air pollution restrictions will be necessary for the construction phase.*

*The above proposal is acceptable to the Environmental Health Department subject to the following **conditions**:*



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### *Construction Phase*

#### *Noise*

*1. To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that :*

*The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours:*

- Before 07.00 hours on weekdays, Monday to Friday*
- Before 09.00 hours on Saturdays.*
- After 19.00 hours on weekdays, Monday to Friday.*
- After 13.00 hours on Saturdays.*
- Not permitted at any time on Sundays, Bank Holidays or Public Holidays.*

*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.*

### *Air Quality*

*During the construction / 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.*

*Reason: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.*

It is considered appropriate to attach the above **conditions** in the event of a grant of permission.

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### ***Public Housing***

SDCC Housing Department have issued a report where 5 no. Part V units have been identified. An extract taken from the report states the following:

I refer to the above application for planning permission; Planning Reg Ref SD22A/0356 and I wish to advise that a Part V condition should be attached to any grant of permission for this application.

The Part V submission lodged with this planning application is noted. I acknowledge the Part V proposal of 5 x Part V Units consisting of

- 1 x 2 Bed Bungalow Detached (83m<sup>2</sup>),
- 1 x 2 Bed Bungalow Semi-Detached (83m<sup>2</sup>),
- 1 x 3 Bed Bungalow Semi-Detached (83m<sup>2</sup>) and
- 2 x 3 Bed Bungalow Detached (96m<sup>2</sup>) units on site.

The applicant has indicated that should the amendment be granted they will engage with the Housing Department on the design of the units with a view to having the units easily adaptable for persons on the Council's medical needs waiting list.

Further proposals are subject to review and consideration by the Housing Department, subject to planning approval. Proof of the date of ownership of the site is required from the applicant in order to determine their Part V percentage liability.

The preference of the council is to acquire units on site. It is considered appropriate that the details for the above be agreed by way of **condition** in the event of a grant.

### ***Screening for Appropriate Assessment (AA)***

The applicant has not provided an Appropriate Assessment Screening Report.

**Table 1: Description of the project and site characteristics**

<b>Planning File Reference</b>	SD22A/0356
<b>Brief description of the project</b>	See description of development.
<b>Brief description of site characteristics</b>	See site description.
<b>Application accompanied by a NIS Y/N</b>	No.

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**Table 2: Identification of European Sites which may be impacted by the project.**

European Site	List of Qualifying Interest/ Special Conservation Interest	Distance from proposed development (km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
Glenasmole Valley SAC	3 Qualifying Interests [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) [6410] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [7220] Petrifying springs with tufa formation (Cratoneurion)	2.4	Potential indirect hydrological connection via tributaries of the River Dodder.	Yes
Wicklow Mountains SAC	13 Qualifying Interests ConservationObjectives.rdl (npws.ie)	3.9	No links	No
Wicklow Mountains SPA	2 Qualifying Interests - Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103] CO004040.pdf (npws.ie)	4.2	No links – see applicant's report.	No
Rye Water Valley / Carton SAC	<ul style="list-style-type: none"> <li>• Petrifying springs with tufa formation (Cratoneurion) [7220]</li> <li>• Vertigo angustior (Narrow-mouthed Whorl Snail) [1014]</li> <li>• Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016]</li> </ul>	14.5	No links – see applicant's report.	No
Red Bog Kildare SAC	• Transition mires and quaking bogs [7140]	>15km	No links	No
Poulaphouca Reservoir SPA	<ul style="list-style-type: none"> <li>• Greylag Goose (Anser anser) [A043]</li> <li>• Lesser Black-backed Gull (Larus fuscus) [A183]</li> </ul>	>15km	No links	No

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South Dublin Bay SAC	4 Qualifying Interests ConservationObjectives.rdl (npws.ie)	>15km	No.	No
South Dublin Bay and River Tolka Estuary SPA	14 Qualifying Interests ConservationObjectives.rdl (npws.ie)	>15km	No.	No

**Table 3: Assessment of Likely Significant Effects**

<b>Identify all potential direct and indirect impacts (alone or in combination) that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project:</b>	
<b>Likely Impacts</b>	<b>Possible Significance of Impacts (duration, magnitude etc.)</b>
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> <li>• Vegetation clearance</li> <li>• Demolition</li> <li>• Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>• Dust, noise, vibration</li> <li>• Lighting disturbance</li> <li>• Impact on groundwater/dewatering</li> <li>• Storage of excavated/construction materials.</li> <li>• Access to site</li> <li>• Pests</li> </ul>	<p>Potential impacts arising from link would not impact the qualifying interests (link is upstream). There is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the proposed development.</p>
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> <li>• Direct emission to air and water</li> <li>• Surface water runoff containing contaminant or sediment</li> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g., collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	<p>Potential impacts arising from link would not impact the qualifying interests (link is upstream). There is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the proposed development.</p>

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In-combination/Other	Potential impacts arising from link would not impact the qualifying interests (link is upstream). There is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the proposed development.
<b>Are ‘mitigation’ measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>	
No	

**Table 4: Screening Determination Statement**

<b>Assessment of significance of effects:</b>		
<b>Describe how the proposed development (alone or in-combination) is/is <u>not likely</u> to have <u>significant</u> effects on European site(s) in view of its conservation objectives.</b>		
<b>Conclusion:</b>		
	<b>Indicate (X)</b>	<b>Recommendation</b>
<b>It is clear that there is no likelihood of significant effects on a European site</b>	X	The proposal can be screened out. Appropriate assessment not required.
<b>It is uncertain whether the proposal will have a significant effect on a European site</b>		Request further information to complete screening. Request NIS Refuse permission
<b>Significant effects are likely</b>		Request NIS Refuse permission
<b>Completed by</b>	CS	
<b>Date</b>	November 2022	

It is noted that an AA screening was previously carried out by the Planning Authority for (SD22A/0157 – refused permission) which was a similar proposal on approximately the same site but for 2 no. less houses. In this instance it was concluded that the proposal could be screened out and that Appropriate assessment not required.

***Screening for Environmental Impact Assessment (EIAR)***

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.

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### **Conclusion**

Having regard to the foregoing, additional information is required to enable the Planning Authority to assess the proposals.

### **Recommendation**

Request further Information.

AO'CM

### **Further Information**

Further Information was requested on 07/11/22.

Further Information was received on 22/12/22.

### **Consultations**

Roads	No objection, <b>conditions</b> recommended.
Public Realm	No objection, <b>conditions</b> recommended.
Water Services	No objection, <b>conditions</b> recommended.
Irish Water	No objection, <b>conditions</b> recommended.

### **Submissions/Observations**

No further submissions/observations received.

### **Further Information**

The Further Information requested was as follows:

- 1. The planning authority has concerns in relation to the proposed density of this amending application. Additional information is required to enable the planning authority to make an assessment on the matter of density. 2 no. drawing are requested that overlays the proposed layout of the scheme over the landscape area (i) mid-slope and (ii) upper slope as identified in the LAP. The foregoing drawing should by means of the red line boundary identify the amending application and the parent permission and should provide a density calculation and clear methodology for same for the Drawing number 1*
  - (i) mid-slope landscape area for the development as a whole (parent and proposed amendment)*
  - (ii) the upper slope landscape area for the development as a whole (parent and amendment)*

*Drawing number 2*

- (i) mid-slope landscape area for the amendment as standalone*
- (ii) the upper slope landscape area for the amendment as a standalone.*

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2. *The applicant is requested to submit*
  - a. *The applicant shall submit a revised layout of not less than 1:200 scale which shows a formal two-way cycle and pedestrian connection that connects with the main link street and is designed in line with the Nation Cycle Manual standards.*
  - b. *The applicant shall submit a taking in charge drawing of not less than 1:200 scale which clearly shows the areas to be offered for taking in charge to South Dublin County Council.*
  
3. *(a) A report is requested showing surface water attenuation calculations for proposed development. Clarify what capacity there is in all attenuation systems being used. If an attenuation system is already being used by a different development submit design calculation of all development using such a surface water system. Surface water should be attenuation by means of SuDS (Sustainable Drainage Systems) first. Only where SuDS does not provide sufficient surface water attenuation and only in exceptional circumstances shall underground attenuation systems be considered of an arched type system.*

*Examples of SuDS and this is not an exhaustive list include:*

- Green roofs or blue roofs*
- Permeable Paving*
- Grasscrete*
- Swales*
- Rain Gardens , Planter boxes Water Services Planning Report*
- Filter drains*
- Other such SuDS*

*Examples of SuDS can be found in South Dublin County Council Website at:*

*[sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](#)*

*Submit a drawing in plan and cross-sectional view showing design details of all proposed SuDS systems.*

*(b) A report and drawing is requested showing a flow route analyses of proposed site. A proposed SuDS system should take account of existing flow route of the site. Examine how surface water flows can be managed at or above ground level. Surface water discharge should be to green field run off rates or 2 litres/second/hectare whichever is greater.*

3. *Confirmation of feasibility letter from Irish Water for proposed development to South Dublin County Council is requested*



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4. *The applicant is requested to submit the following:*

*a) Landscape Design Proposals*

*There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:*

- i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.*
- ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.*
- iii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.*
- iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site*
- v. Demonstrate how natural SUDs features can be incorporated into the design of the proposed Development*
- vi. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDs measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.*
- vii. The applicant shall provide play and recreation opportunities for children and teenagers as appropriate to the scale and character of proposed development. Proposals shall be submitted in the form of a Proposed Play Rationale and Layout Plan (separate to, but related to the Landscape Masterplan), using Nature-based Solutions. The Layout Plan shall comprise the following:-  
showing types of play and play area(s),  
target age groups,  
landform (included levels and contours) and boundaries,  
gates and planting,  
design and construction details of play opportunities and facilities in respect of landform, planting, boundaries, equipment and safety surface.*

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*All play equipment and ancillaries shall conform to European Standards EN 1176 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height).*

### **b) Existing Trees and Hedgerows**

*The applicant is requested to submit an updated comprehensive Tree Report for the proposed development site to the SDCC Public Realm Section. This shall comprise of detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist and shall include all of the following:*

- (i) Tree Survey Plan: all trees and hedges on and adjacent to the subject site (i.e. within falling distance thereof) shall be accurately plotted, tagged and shown on a scaled drawing of a topographical survey of the site*
- (ii) Tree Survey Schedule: a summary of the surveyed trees and hedges, giving a breakdown of their tag nos., species, size, age, condition and useful life expectancy.*
- (iii) Arboricultural Impact Assessment: a thorough, detailed and realistic analysis and assessment of the likely impacts of the proposed development on the surveyed trees and hedges; along with a summary table of the tree population and quantification of impacts/losses etc. (total number surveyed and total numbers/percentage to be retained and felled respectively).*
- (iv) Design Iteration- Adjustments, Revisions to Proposed Site Layout: subsequent to and arising from the Impacts Assessment, the applicant's design team [especially arborist, consulting architect(s) and engineer(s)] shall demonstrate in their submission, that it has sufficiently explored and investigated layout alternatives, to achieve an optimal solution that meets South Dublin County Councils Tree Strategy and its Development Plan standards in respect of tree preservation and tree retentions, as appropriate*
- (v) Tree Constraints Plan: a scaled site plan (1:500@A1) showing the impacts of all surveyed trees in relation to the site layout of the proposed development.*
- (vi) Tree Protection Plan: a scaled site plan (1:500@A1) of the proposed development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed ; showing alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant,*

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*equipment and materials storage. Root Protection Areas (RPAs') of all trees and hedgerows to be clearly shown on this drawing.*

- (vii) Arboricultural Method Statement: clear and practically-achievable measures to be used during the construction period, for the protection and management of all trees and hedges that are to be retained, as shown in the Tree Protection Plan.*
- (viii) Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.*
- (ix) The applicant is requested to submit pictures of the existing trees/hedgerows subject to any tree protective fencing. This shall include a location map of where each picture was taken from.*
- (x) Arborist's name, arboricultural qualifications and contact details.*
- (xi) Date that the survey was carried out (surveys > 12 months are unacceptable).*

### **c) OPEN SPACE PROVISION**

*Insufficient information has been submitted in relation to proposed open space provision with the Development. Under section 8.7.3 of the 2022-2028 CDP the overall standard for public open space is 2.4 hectares per 1,000 population. This will be applied to all developments with a residential element, such as the subject proposal. Within that standard, there are specified percentages as set out in Table 8.2 which must, as a minimum, be provided on site. Under Table 8.2 the specified percentage of open space for the proposed development is a minimum of 15% of the site area. The applicant is therefore requested to provide in tabular form a clear breakdown of the open space provision within the proposed development. If the applicant intends to provide the full public open space onsite, a significant redesign of the open space is required. This space should be of a higher quality, easily accessible from the public realm, pedestrian and cyclist permeable, contribute to biodiversity etc. A taking in charge drawing shall be provided showing proposed areas of public open space as part of the applicant's response.*

### **d) SUDS**

*There is a lack of information in terms of the SuDS (Sustainable Drainage Systems) features planned for the proposed development. The applicant is requested to submit the following:*

- (i) A drawing to show how surface water shall be attenuated to greenfield run off rates.*
- (ii) Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drain, bio-retention tree pits, rains gardens, swales or other such SuDS.*

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- (iii) *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.*
- (iv) *Additional 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 provide the following:*
  - a. *Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.*
  - b. *Tree pits incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground*
  - c. *It is unclear how much attenuation in total is provided by the proposed bioretention tree pits for the development. The applicant shall submit a report and drawing showing how much surface water attenuation in m<sup>3</sup> is provided for the development.*
  - d. *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 Landscape and SUDS Management and Maintenance Plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and proposed SUDS features for the approval of the Public Realm Section.*
  - f. *Underground attenuation tanks are only permitted in exceptional circumstances and where all other natural SUDS measures have been utilised. If all other methods have been utilised and it is demonstrated that underground attenuation is required, it cannot be proposed under public open space areas and such areas will not be taken in charge by Public Realm. SUDS measures are only accepted as an element of public opens space where they are natural in form and integrate well into the open space landscape supporting a wider amenity and biodiversity function.*

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e) Green Infrastructure

*The applicant is requested to submit a Green Infrastructure Plan which shall be submitted as part of the suite of Landscape Plans that are required for a development. The Green infrastructure Plans should include the following information:*

*Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County.*

*Site survey and analysis, identifying existing GI Infrastructure and key assets within the site.*

*Indicate how the development proposals link to and enhance the wider GI Network of the County.*

*Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site.*

*Proposals for identification and control of invasive species where appropriate, for the site*

f) Ecology

*The applicant shall provide information as to the ecology present on site and potential impacts of the development and proposed mitigation measures. The applicant is requested to undertake a comprehensive ecological survey of the site to ascertain if any protected species are present. The results of the survey shall be submitted with details of the provision and implementation of ecological mitigation to protect any protected species if found to be present.*

g) Green Space Factor (GSF)

*A Green Space Factor (GSF) Worksheet shall be submitted by the applicant for the proposed development detailing how they have achieved the appropriate the minimum Green Space Factor (GSF) scoring established by their land use zoning. Minimum required scores for different land use zonings are included in Table 1 below.*

*Table 1: Minimum Green Space Factor Scores for Land Use Zonings.*

<i>Zoning</i>	<i>Minimum Score</i>
<i>Res</i>	<i>0.5</i>
<i>RES-N</i>	<i>0.5</i>
<i>SDZ</i>	<i>0.5</i>
<i>REGEN</i>	<i>0.5</i>
<i>TC</i>	<i>0.5</i>
<i>DC</i>	<i>0.5</i>
<i>VC</i>	<i>0.5</i>
<i>MRC</i>	<i>0.5</i>
<i>LC</i>	<i>0.5</i>

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<i>EE</i>	<i>0.5</i>
<i>RW</i>	<i>0.5</i>
<i>HA-DM</i>	<i>0.7</i>
<i>HA-LV</i>	<i>0.7</i>
<i>HA-DV</i>	<i>0.7</i>
<i>OS</i>	<i>0.7</i>
<i>RU</i>	<i>0.7</i>

*Developers can improve their green factor score by retaining existing landscape features and incorporating new landscape features and GI interventions. Completed Green Space Factor (GSF) worksheets should be submitted to SDCC with the Green Infrastructure Plan and Landscape Plan for a proposed development. See link to the Green Space Factor Worksheet Related Documents – SDCC*

*h) Street Trees*

*Street trees shall be provided fully in Public Realm areas and not within private or management company driveways and include SUDS features. All streets should be tree lined and include SUDS tree pits. DMURs requires street trees every 14-20 m along streets, and this has not been achieved. A specific street tree planting plan should be submitted for agreement with the Public Realm.*

### **Assessment of further information submitted.**

#### *Item 1 – Density*

The application would result in an additional 2 no. dwellings on the mid-slope lands, and 5 no. additional dwellings on the upper slope lands.

Based on the revised proposals, the density for the part of the site on the mid-slope lands would be 28 units per ha, in accordance with the LAP. The density of the lands on the upper slope would be c. 16 units per hectare, according to the applicants cover letter. This is also in accordance with the LAP standards. The applicant states the additional units would bring the total density of the Ballycullen Gate development, including the parent permission lands, to 19 units per hectare. This is below the net average density of 22-28 dwellings per ha for mid slope lands, but in excess of the net average density of the upper slope lands, 12 – 18 dwellings per ha. Based on the densities specified of the mid and upper slope areas, it is considered that the increase in density is acceptable, as each area remains consistent with the LAP standards.

Policy QDP3 and QDP3 Objective 1 require new development to positively contribute to the character and setting of the immediate area in which development is proposed. The upper slope lands are at a steeper gradient to other lands within the immediate area, requiring sensitive consideration of the type of dwelling appropriate for this location. The provision of two-storey

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units at this location, given the existing single and dormer character that has previously been permitted to the east of the site, is not considered to be appropriate.

With regard to the style of housing in the upper slope lands, the LAP states that housing should be single storey detached or semi-detached units. Dormer windows would be acceptable for single storey dwellings only, and second storeys may also be considered where a unit has been designed as split level, being single storey to the front and no more than two-storeys to the side. The applicant has not met this requirement, replacing permitted single storey dwellings with two-storey houses. The E house type provides a two-storey appearance to the front, and a single storey projection to the rear, and is also not considered appropriate given the upper slope lands location.

As this is the only outstanding item of concern, a **condition** should be included in the event of a grant, requiring the applicant to amend the proposals on the eastern pocket of land, removing the 6 no. proposed A units and replacing these with 6 no. B units, replacing the D house type with an inverted C house type and the E house with a C unit, or other appropriate dwelling.

### *Item 2 – Cycle lane and Taking in Charge*

The Road Department have reviewed the submission and have agreed with the applicant's response relating to the limitations of the potential to include a two-way cycle lane as requested. The Roads Department is satisfied that the applicant's submission is acceptable, noting that a pedestrian connection should be maintained to the link street. This is outside the red line boundary of the application, but within the blue line boundary of the applicant's ownership. A pedestrian crossing is provided to the west of the development site, and raised ramps are included at all entrances to the site, per the parent permission. This is considered to provide an appropriate level of permeability. Further improvements to pedestrian crossings and permeability would be best addressed in subsequent applications.

With regard to taking in charge, the Roads Department are satisfied with the submission but have noted one omission to areas indicated for taking in charge. In the event of a grant their report recommends the following **condition**:

*The applicant shall submit a revised taking in charge drawing of not less than 1:200 scale which clearly shows all the areas, including the previously omitted area, to be offered for taking in charge to South Dublin County Council. If it is not intended to offer this area for taking in charge, then the applicant should clarify the reason for this.*

This **condition** should be included to ensure clarity in relation to the status of the lands highlighted.



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### *Item 3 – Surface Water and SuDS*

The applicant has submitted additional information relating to surface water attenuation and SuDS, noting that these revised plans have been prepared in consultation with Water Services in SDCC. Water Services have reviewed the complete submission and have stated no objection to the development, subject to standard conditions. It is considered that this item of the request has therefore been adequately addressed.

### *Item 4 – Irish Water*

Irish Water have reviewed the submission and stated no objection subject to standard conditions including provision of a confirmation of feasibility from Irish Water, and connection agreements.

It is noted that the applicant has already commenced works under the parent permission, SD17A/0468, and a connection application has been lodged with Irish Water, with a Self-Lay Connection Agreement issued by Irish Water to the applicant in November 2022. It is considered that this clearly demonstrates the feasibility of the development in terms of Irish Water, and this is not required by condition. A **condition** should be included in the event of a grant requiring connections agreements, where necessary, to address any circumstance where the current agreement with Irish Water is not sufficient to cover the increase in units at the site.

### *Item 5 – Landscape, Open Space and Green Infrastructure*

The applicant has responded to the additional information request stating that no works are proposed to the open space areas previously permitted within the development under SD17A/0468. The Public Realm section have reviewed the response and have stated no objection, recommending the following **conditions** in the event of a grant of permission:

#### *1. Landscape Design Proposals*

*The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following information:*

- i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.*
- ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.*
- iii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.*
- iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site*

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- v. *Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development.*
- vi. *Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.*

### **2. Existing Trees and Hedgerows**

*The applicant is requested to submit an updated comprehensive Tree Report for the proposed development site to the SDCC Public Realm Section. This shall comprise of detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist and shall include all of the following:*

- (i) Tree Survey Plan: all trees and hedges on and adjacent to the subject site (i.e., within falling distance thereof) shall be accurately plotted, tagged and shown on a scaled drawing of a topographical survey of the site.*
- (ii) Tree Survey Schedule: a summary of the surveyed trees and hedges, giving a breakdown of their tag nos., species, size, age, condition and useful life expectancy.*
- (iii) Arboricultural Impact Assessment: a thorough, detailed and realistic analysis and assessment of the likely impacts of the proposed development on the surveyed trees and hedges; along with a summary table of the tree population and quantification of impacts/losses etc. (total number surveyed and total numbers/percentage to be retained and felled respectively).*
- (iv) Design Iteration- Adjustments, Revisions to Proposed Site Layout: subsequent to and arising from the Impacts Assessment, the applicant's design team [especially arborist, consulting architect(s) and engineer(s)] shall demonstrate in their submission, that it has sufficiently explored and investigated layout alternatives, to achieve an optimal solution that meets South Dublin County Councils Tree Strategy and its Development Plan standards in respect of tree preservation and tree retentions, as appropriate*
- (v) Tree Constraints Plan: a scaled site plan (1:500@A1) showing the impacts of all surveyed trees in relation to the site layout of the proposed development.*

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- (vi) Tree Protection Plan: a scaled site plan (1:500@A1) of the proposed development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed ; showing alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant, equipment and materials storage. Root Protection Areas (RPAs') of all trees and hedgerows to be clearly shown on this drawing.*
- (vii) Arboricultural Method Statement: clear and practically-achievable measures to be used during the construction period, for the protection and management of all trees and hedges that are to be retained, as shown in the Tree Protection Plan.*
- (viii) Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.*
- (ix) The applicant is requested to submit pictures of the existing trees/hedgerows subject to any tree protective fencing. This shall include a location map of where each picture was taken from.*
- (x) Arborist's name, arboricultural qualifications and contact details.*
- (xi) Date that the survey was carried out (surveys > 12 months are unacceptable).*

## **2. SUDS**

*There is a lack of information in terms of the SuDS (Sustainable Drainage Systems) features planned for the proposed development. The applicant is requested to submit the following:*

- (i) A drawing to show how surface water shall be attenuated to greenfield run off rates.*
- (ii) Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drain, bio-retention tree pits, rains gardens, swales or other such SuDS.*
- (iii) 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.*
- (iv) Additional 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 provide the following:*
  - i. Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.*

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ii. *Underground attenuation tanks are only permitted in exceptional circumstances and where all other natural SUDS measures have been utilised. If all other methods have been utilised and it is demonstrated that underground attenuation is required, it cannot be proposed under public open space areas and such areas will not be taken in charge by Public Realm. SUDS measures are only accepted as an element of public open space where they are natural in form and integrate well into the open space landscape supporting a wider amenity and biodiversity function.*

### 3. *Green Infrastructure and Green Space Factor (GSF)*

*The applicant shall submit the following information in terms of GI and the GSF in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028:*

- (a) To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network.*
- (b) To demonstrate how the appropriate Greening Factor will be achieved for the relevant land use zoning objective. See link to the Green Space Factor Worksheet: Related Documents – SDCC*

### 4. *Street Trees*

*Street trees shall be provided fully in Public Realm areas and not within private or management company driveways and include SUDS features. All streets should be tree lined and include SUDs tree pits. DMURs requires street trees every 14-20 m along streets, and this has not been achieved. A specific street tree planting plan should be submitted for agreement with the Public Realm.*

As the proposal relates to amendments to an existing permitted, and under construction development, it is not considered necessary to require all the recommended **conditions**. A **condition** should be attached in the event of a grant requiring all conditions, as per the parent permission, to be complied with. It is considered that this would address most concerns regarding landscaping, as the scheme has been previously approved.

It is noted that landscaping at the west of the site has altered, and the pedestrian link to the adjoining lands appears cumbersome and not necessarily following likely desire lines. The applicant should be requested to submit more detailed plans relating to this area, and ensure that future connections to adjoining lands are cognisant first and foremost of how people would choose to use and access these spaces. This should be required by **condition**.

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### Other Considerations

#### **Development Contributions**

<b>Are any exemptions applicable?</b>	No
<b>Is development commercial or residential?</b>	Residential
<b>Standard rate applicable to development:</b>	119.10
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€119.10
<b>Area of Development (m2) (floor area of proposed 24 houses taking account of the condition amending the house types)</b>	2,365
<b>Amount of Floor area, if any, exempt (m2)</b>	0
<b>Total area to which development contribution applies (m2)</b>	2365
<b>Total development contribution due</b>	€281,671.50

This figure has been calculated based on the units permitted, per a condition requiring alterations to the house type proposed as part of this amendment.

#### **Security Bond**

<b>Dwellings</b>	<b>No. of Units</b>	<b>Cash</b>	<b>Bond</b>
1-20	20	€6,994	€8,043
21-50	4	€4,896	€5,630
51+	0	€2,798	€3,217
Total Dwellings	24	€159,464.00	€183,380.00
<b>Total Security Calculation</b>		<b>€159,464.00</b>	<b>€183,380.00</b>

This figure has been calculated based on 24 units being permitted.

#### **SEA Monitoring Information**

Building Use Type Proposed:	New Dwellings
Floor Area:	2,365 sq.m
Land Type:	Greenfield
Site Area:	0.088 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.

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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 22/12/2022, 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. Parent Permission Conditions  
All conditions of the parent permission, SD17A/0468, shall be complied with, save for any circumstances where alterations are permitted on foot of this current permission.  
REASON: In the interests of clarity.
3. Amendments.  
In order to ensure that residential development satisfies the Ballycullen/Oldcourt Local Area Plan and the South Dublin County Development Plan 2022 - 2028 to be sympathetic to the character of the area, including specific landscape characteristics, no two-storey dwellings shall be permitted on the upper slope lands. Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority in relation to house types permitted on the eastern portion of land:  
  
Revised plans that incorporate all of the following amendments-  
(a) The D house type unit shall be replaced with 1 no. C house type unit, orientated appropriately to maximise frontage onto The Close and The View  
(b) The 6 no. A houses shall be replaced with 6 no. B houses.

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(c) The E house type shall be replaced with a C house type, or appropriate dwelling given the sites larger plot and corner location

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

### 4. Taking in Charge

The applicant shall submit a revised taking in charge drawing of not less than 1:200 scale which clearly shows all the areas, including the previously omitted area, to be offered for taking in charge to South Dublin County Council. If it is not intended to offer this area for taking in charge then the applicant should clarify the reason for this.

REASON: In the interests of clarity

### 5. 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, where not already covered as part of connection agreements relating to SD17A/0468.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

### 6. Street Trees

Where possible, additional street trees shall be provided fully in Public Realm areas and not within private or management company driveways and include SUDS features. All streets should be tree lined and include SUDS tree pits. DMURs requires street trees every 14-20 m along streets, and this has not been achieved. Prior to the commencement of development, a specific street tree planting plan shall be submitted for agreement with the Public Realm.

REASON: In the interests of the amenity and environmental quality of the locality and to assimilate the development into its surroundings, in accordance with relevant policies and objectives contained within the CDP 2022-2028.

### 7. Landscape Plan

The layout of the area of public open space included within the application red line boundary has been altered. The applicant is required to ensure that all details relating to this area of public open space are consistent with the parent scheme, and any alterations shall be designed around maximum useability, including the provision of pedestrian facilities that maximise desire lines, enhancing permeability and accessibility to and from the site. Prior to the commencement of development the applicant shall submit a revised landscape plan, providing greater detail in relation to landscaping details for this area.

REASON: To ensure a cohesive landscape strategy that provides useability for future residents

### 8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €281, 671.50 (two hundred and eighty one thousand and six hundred and seventy one euros and fifty



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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.

### 9. Cash Deposit or Bond

No development shall be commenced until:

(A) Lodgement of a cash deposit of €159,464.00 (One Hundred and Fifty Nine Thousand Four Hundred and Sixty Four Euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or

(B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of €183,380.00 (One Hundred and Eighty Three Thousand Three Hundred and Eighty Euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Council's Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0094/23**

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

REASON: to ensure that a ready sanction is available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.


**Comhairle Chontae Atha Cliath Theas**

**PR/0094/23**

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

**REG. REF. SD22A/0356**

**LOCATION: Oldcourt Road, Firhouse, Dublin 24.**

  
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**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:** 27/01/23

  
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**Gormla O'Corrain,**  
**Senior Planner**