

Comhairle Chontae Atha Cliath Theas

PR/0222/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0543 **Application Date:** 23-Dec-2022
Submission Type: New Application **Registration Date:** 23-Dec-2022

Correspondence Name and Address: Kevin O'Neill - Cornahilt Design Studio Ltd
Cornahilt Lodge Barn, The Grove, Ballyjamesduff,
Co. Cavan

Proposed Development: The widening of existing driveway entrance to allow for vehicular access including demolition of existing pier and wall to the front of existing property and construction of new and all ancillary site works required.

Location: 36, St. Patrick's Road, Dublin 12, D12A2K3

Applicant Name: Siobhan & William Disdale

Application Type: Permission

Description of Site and Surroundings

Site Description

The site is comprised of a 2 No. storey terraced dwelling located towards the middle of a terrace of dwellings along St. Patrick's Road, Whitehall, Dublin 12. The site is bound to the north, south and west by residential dwellings and to the east by St. Patrick's Road.

The surrounding streetscape is generally characterised by residential dwellings of a similar architectural form and scale.

Site Area:

Stated as 0.0235 Ha.

Proposal

Permission is being sought for:

- The demolition of the existing pier and front boundary wall and construction of a new pier to facilitate the widening of the existing driveway entrance to create an approximately 5.4m wide vehicular access.
- The re-surfacing of the existing front garden to a permeable gravel finish to facilitate off-street car parking.
- All ancillary site works above and below ground.

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Zoning

The site is subject to zoning objective 'RES' – 'To protect and/or improve residential amenity' in the South Dublin County Development Plan 2022-2028.

Overlap is indicated with the following Development Plan Map layers:

- Bird hazards.
- Outer Horizontal Zone – Dublin Airport.
- Outer Horizontal Zone – Casement Aerodrome.

Consultations

Drainage and Water Services – No report received at time of writing.

Irish Water – No report received at time of writing.

Roads Department – No objections, subject to conditions.

Transport Infrastructure Ireland – No objection.

National Transport Agency – No objection.

Submissions/Observations/Representations

Final date for submissions/observations – 6th February 2023.

None received.

Relevant Planning History

None recorded for the subject site.

Enforcement History

None recorded for the subject site.

Pre-Planning Consultation

None recorded for the proposed development.

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan,

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identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

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

Chapter 12 Implementation and Monitoring

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

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

South Dublin County Council House Extension Guide (2010)

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

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

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Relevant Government Guidelines

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

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

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).

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

Wastewater Treatment and Disposal Systems Serving Single Houses Environmental Protection Agency (November 2009)

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

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG (2009)

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

Assessment

The main issues for assessment are

- Zoning and Council Policy
- Visual Impact and Residential Amenity
- Vehicular Access and Car Parking
- Environmental Impact Assessment
- Appropriate Assessment.

Zoning and Council Policy

The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'.

The demolition of an existing pier and front boundary wall and widening of the existing vehicular access arrangements of an existing dwelling is considered to be permissible in

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principle under this zoning objective as the development pertains to the established residential use.

Section 12.7.6 of the South Dublin County Development Plan 2022-2028 outlines South Dublin County Council's policy in relation to '*Widening of Driveways to Accommodate In-Curtilage Parking*', which states that a width of 3.5m between gate pillars shall not normally be exceeded. The proposed development will result in the widening of the existing 2.4m wide vehicular entrance to an approximate width of 5.4m. This would be contrary to Section 12.7.6 of the Development. However, as a 3.5m wide vehicular entrance would be acceptable, it is considered appropriate that a **CONDITION** be attached requiring revised drawings demonstrating a vehicular entrance width no wider than 3.5m prior to the commencement of development.

The proposed development does not propose the removal of any street trees and will not impact any existing street trees. This would be in line with Section 12.7.6 which states that proposals to widen driveways that would result in the removal of, or damage to, a street tree will not generally be permitted and where permitted must be mitigated.

Section 12.7.6 of the Development Plan states that where a hard surface is proposed to accommodate parking in a front garden area, permeable paving shall be used, in the interest of sustainable drainage. It is noted that the drawings provided by the Applicant demonstrate the provision of an area of permeable gravel paving to the newly created off-street car parking area to the front of the existing dwelling. This is considered acceptable to the Planning Authority.

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

In summary, the proposed development is considered to comply with the guidance set out in the South Dublin County Development Plan 2022-2028, subject to a **CONDITION** requiring revised drawings demonstrating a vehicular entrance width no wider than 3.5m prior to the commencement of development.

Visual Impact and Residential Amenity

The proposed development seeks the demolition of an existing pier and part of the front boundary wall and provision of a new pier resulting in the widening of the existing vehicular entrance to No. 36 St. Patrick's Road, Whitehall, Dublin 12. The proposal will also result in the creation of a pedestrian entrance to the subject site.

Having regard to the nature and scale of the proposed development, it will not have a significant impact on the amenity or character of the subject site, adjacent properties and the wider surrounding streetscape.

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Vehicular Access and Car Parking

The Roads Department has assessed the proposed development and have indicated no objection, subject to the following **CONDITIONS**:

- The vehicular access points shall be limited to a width of 3.5 metres per *Section 12.7.6 of the County Development Plan 2022-2028*. This is for reasons of pedestrian safety and visual amenity and to retain on-street parking spaces.
- The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
- Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
- Any gates shall open inwards and not out over the public domain.

Green Infrastructure

The site is not located within a Primary GI Corridors or secondary GI link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028). It is noted that SuDS measures in the form of permeable gravel paving are proposed by the Applicant.

Having regard to the nature and scale of the proposed development, it is considered that the subject development will not significantly impact the Green Infrastructure Network.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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.

Screening for Appropriate Assessment

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

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Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Other Considerations

Development Contributions

Total Assessable area:0sqm

Planning Reference Number	SD22B/0543
Summary of permission granted & relevant notes:	The widening of existing driveway entrance to allow for vehicular access including demolition of existing pier and wall to the front of existing property and construction of new and all ancillary site works required.
Are any exemptions applicable?	No
If yes, please specify:	N/A
Is development commercial or residential?	Residential
Standard rate applicable to development:	119.10
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€119.10
Area of Development (m2)	0
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	0
Total development contribution due	€0.00

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SEA Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Widening existing vehicular entrance.	0sqm
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0235

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 the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Vehicular Access Point Width.
Prior to the commencement of development, the Applicant is required to submit for the

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written agreement of the Planning Authority revised plan, sectional and elevational drawings demonstrating that the width of the proposed vehicular access does not exceed 3.5m in accordance with Section 12.7.6 of the South Dublin County Development Plan 2022-2028.

REASON: In the interests of pedestrian and traffic safety.

3. Roads.

(i) The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

(ii) Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.

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

4. Permeable Surface.

The proposed driveway/car parking area shall be constructed using a permeable gravel surface as shown on the drawings provided by the Applicant.

REASON: In the interest of providing suitable SuDS measures

5. Domestic Extension.

(a) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

(b) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

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(c) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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

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arising are remedied immediately.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

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

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REG. REF. SD22B/0543

LOCATION: 36, St. Patrick's Road, Dublin 12, D12A2K3



Conor Doyle,
Assistant 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: 27/02/2023



Deirdre Kirwan,
Senior Executive Planner