

Comhairle Chontae Atha Cliath Theas

PR/0363/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0436 **Application Date:** 14-Nov-2022
Submission Type: Additional **Registration Date:** 14-Mar-2023
Information

Correspondence Name and Address: Roger O'Dwyer, iStruct Consulting Engineers 16,
Oakcourt Park, Palmerstown, Dublin 20

Proposed Development: Construction of a new two storey house adjacent to
the existing house; a new driveway to the front; new
garden access gates to the side and all associated site
works.

Location: 64, Monastery Drive, Dublin 22

Applicant Name: Romaine Nolan

Application Type: Permission

(BC)

Description of Site and Surroundings

Site Area: stated as 0.0621 Hectares on the application form.

Site Description

The subject site is located on the corner of Monastery Drive residential Street and a Cul-de-sac of Monastery Drive. The subject site contains a semi-detached dormer house with side garage. A large rear garden/amenity space of 326sqm exists to the side/rear of the existing dwelling. The dwellings in the surrounding area are of a similar design and appearance. There are mature trees and grass margins located on either side of the street.

Proposal

The proposed development consists of Permission the following:

- Construction of a new two storey house adjacent to the existing house;
- New driveway to the front;
- New garden access gates to the side and all associated site works.

Zoning

The subject site is zoned Zoning Objective 'RES': *To protect and/or improve residential amenity* under the 2022-2028 CDP.

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Consultations

Water Services -

Irish Water -

Roads Department -

Public Realm -

Further Information required.

Further Information required.

No objections subject to **conditions**.

No objection subject to **conditions**.

SEA Sensitivity Screening –
SEA mapping tool.

No overlap indicated with relevant environmental layers on

Submissions/Observations/Representations

There was 1 no. third party submission received on the application, which raised the following points in summary:

- Application for 2 storey house in midst of dormer bungalows is out of character with the surrounding properties.
- Size of proposed building is out of proportion with surrounding properties.
- Proposed dwelling close to existing footpath, gable walls would be under footpath.
- Proposed is too big in relation to the plot and totally out of character with existing surrounding properties.

The submission has been reviewed in full and taken into consideration in the assessment of the proposed development.

Relevant Planning History

Subject site

None identified on APAS.

Adjacent Sites

SD16B/0421 - 66 Monastery Drive, Clondalkin, Dublin 22

Construction of new first floor rear extension with flat roof; (b) internal alterations to ground and first floor layouts and (c) front elevational treatment to include 1 new dormer window.

Grant Permission.

SD15B/0215 - 62, Monastery Drive, Clondalkin, Dublin 22

The replacement of the existing garage roof with an extension of the existing main roof including one new dormer window to the front and three new dormer windows to the rear.

Grant Permission.

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SD16B/0357 - 75, Monastery Drive, Clondalkin, Dublin 22

Renovation and extension of existing dwelling to include: (1) Demolition of existing garage to side, (2) construction of new two storey extension to side, (3) construction of new single storey extension to rear, (4) construction of new dormer extension to rear, (5) construction of new single storey garage to rear garden and associated site works.

Grant Permission.

SD18A/0033 - 71, Monastery Drive, Clondalkin, Dublin 22.

Subdivision of existing corner site, construction of a new self-contained two storey dwelling unit in side garden, demolition of side extensions to existing dwelling, widening of existing driveway to accommodate separate entrances and associated site works.

Grant Permission.

Relevant Enforcement History

None identified in APAS for subject site.

Pre-Planning Consultation

None identified in APAS.

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

Policy GII: Overarching

GII Objective 4:

To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide

GI networks.

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.

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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 QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP7: High Quality Design – Development General

Policy QDP11: Materials, Colours and Textures

12.10.4 Solar Photovoltaic

- *Buildings Development proposals for solar energy development on buildings must, unless feasibility is otherwise demonstrated:*
- *Prioritise south facing aspects and have an inclination of between approximately 35 and 50 degrees depending on the use of solar PV or solar thermal technologies;*
- *Be designed to take account of over-shadowing from other solar installations on site, from existing elements of the built environment such as chimneys, parapets, roof plant equipment and taller buildings and structures in the immediate vicinity;*
- *Ensure sufficient space for access, installation and maintenance;*
- *Ensure that the siting and design of proposals have regard to the visual amenities of the surrounding area;*
- *Consider the provisions of the Water Framework Directive, Habitats Directive and other environmental and built heritage issues and glint and glare near airports.*

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 H13: Residential Consolidation

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H13 Objective 3:

To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 12: Implementation and Monitoring.

Policy SM2: Walking and Cycling

Policy SM7: Car Parking and EV Charging

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

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.4.2 Green Infrastructure and Development Management

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.6.7 Residential Standards

12.6.8 Residential Consolidation

Corner / Side Garden Sites

Development on corner and / or side garden sites should be innovative in design appropriate to its context and should meet the following criteria:

- In line with the provisions of Section 6.8 Residential Consolidation in Urban Areas the site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings ensuring no adverse impacts occur on the residential amenity of adjoining dwellings;*
- Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain;*
- The dwelling(s) should generally be designed and sited to match the front building line and respond to the roof profile of adjoining dwellings where possible. Proposals for buildings which project forward or behind the prevailing front building line, should incorporate transitional elements into the design to promote a sense of integration with adjoining buildings;*

- The architectural language of the development (including boundary treatments) should generally respond to the character of adjacent dwellings and create a sense of harmony.*

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Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings;

- A relaxation in the quantum of private open space may be considered on a case-by-case basis whereby a reduction of up to a maximum of 10% is allowed, where a development proposal meets all other relevant standards and can demonstrate how the proposed open space provision is of a high standard, for example, an advantageous orientation, shape and functionality;*
- Any provision of open space to the side of dwellings will only be considered as part of the overall private open space provision where it is useable, good quality space. Narrow strips of open space to side of dwellings shall not be considered as private amenity space.*

12.6.10 Public Open Space

12.7.4 Car Parking Standards

12.11.1 Water Management

Relevant Government Guidelines

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

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

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

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).

Sustainable Urban Housing: Design Standards for New Apartments, Department of Housing, Local Government and Heritage, (2020)

Urban Development and Building Heights Guidelines for Planning Authorities, Department of Housing, Planning and Local Government, (2018).

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

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

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Green Infrastructure and Landscaping;
- Infrastructure and Environmental Services;
- Screening for Environmental Impact Assessment (EIAR);
- Screening for Appropriate Assessment (AA)

Zoning and Council Policy

A new dwelling is consistent with zoning objective 'RES': *'To protect and/or improve residential amenity.'* Infill residential development is permissible in principle under this zoning objective, subject to the criteria laid down in Chapter 12 of the South Dublin County Development Plan 2022-2028, and other relevant policies and objectives of the Plan. Development in corner gardens is guided by section 12.6.8 of the Plan.

Visual and Residential Amenity

Layout and Design

The proposed development is to site comprising a one-and-a-half storey semi-detached house on a corner site. The proposed house would be located in the western part of the site, fronting onto Monastery Drive Street and siding onto a Cul-de-sac also called Monastery Drive in the side garden of the No.64 which is capable of accommodating a dwelling. The house would be located in close proximity to the public footpath the Cul-de-Sac of Monastery Drive and adjoining the single storey garage to the north of Number 64 Monastery Drive. The house is proposed to be sited in line with the existing front building line along Monastery Drive Street.

The dwelling would be a two storey building with pitch roof profile c11m in depth from front to back and c7.1m in width from the garage boundary wall of No.64 to the boundary wall with public footpath. Part of the wall is to be removed for the dwelling to front onto the footpath. The southern side gable elevation would form the boundary wall with the public footpath. A c3.7m in depth single storey sloping flat roof element would extend from the rear of the proposed dwelling.

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A large window is proposed for the side elevation on the boundary which be somewhat out of context of the surrounding area however, the window serves a non-habitable landing and stairway area. The presence of a large window in the side gable wall is acceptable however, there are concerns regarding the proposed development in its current form as:

- The dwelling is proposed to be built on the southern boundary with no setback provided. The dwelling will over sail the public realm and the footpath on the southern elevation and is not set back sufficiently from the boundary thus increasing the prominence of the dwelling.
- Water and Wastewater maps show that there are important infrastructure corridors to the south of the site and 3m separation distance are required.
- The proposed rear pedestrian access paths and gates to both No.64 and 64a (subject site) would provide an unwanted precedent for gated access points to rear gardens on public streets that also has the potential to significantly obstruct pedestrian safety on the footpath.

In its current form, the proposed dwelling is considered unacceptable. The applicant is therefore requested to submit revised drawings which:

- Reduce the width of the dwelling so as to provide a minimum set back of 0.9m or the minimum required by water services following the inclusion of appropriate separation distance for water infrastructure on the southern boundary of the site.
- Omit the proposed rear pedestrian access gates on the southern boundary.

This can be achieved by means of **Additional information**.

Two panels of photo voltaic panels are proposed for south side facing elevation of the roof of the dwelling. The panels cover an area of 1m by 2m and 1m by 3.6m with adequate separation distances from the neighbouring dwellings. Section 2.10.4 of the CDP sets policy standards for Solar Photovoltaic uses on buildings. The panels prioritise the south facing aspect and do have an inclination of between approximately 35 and 50 degrees in keeping with the section 2.10.4 The panels are located to take account of any over-shadowing from existing elements of the built environment such as chimneys, trees and parapets in the immediate vicinity and are situated satisfactorily to ensure that the siting and design of proposals have regard to the visual amenities of the surrounding area. The inclusion of the photo voltaic panels would be in compliance with section 2.10.4 and is deemed acceptable.

The roof profile is not wholly consistent with that of the prevailing characteristics of the roof profiles of the street which is pitched with dormer elements. The subject dwelling contains a pitched roof but is proposed at with gable side addressing the street on the front elevation.

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The roof contains an element that matches responds to the profile and direction of the surrounding dwellings on the southern elevation. Overall, the proposed roof design is acceptable the planning authority and is in compliance with Section 12.6.8 of the CDP which states the dwelling should:

'respond to the roof profile of adjoining dwellings where possible.'

It is noted that the ridge line of the roof would be 700mm above the neighbouring dwellings which in turn responds to the increase in ground topography by being c630mm higher than the dwellings located further to the north.

Residential Standards

The application form states that the proposed house would be approx. 152.4sqm in size. The proposed bedrooms would meet the minimum (three bedroom) floorspace requirements of the CDP and 2007 Quality Housing Guidelines. The design complies and exceeds with the 2007 Quality Housing Guidelines.

Private Amenity Space

The applicant has provided satisfactory private amenity space on the site. It is noted from the drawings that the subject site has provided 60sqm of rear amenity space which is the minimum required for a three-bedroom house as required by Chapter 12 - Table 3.20: Minimum Standards for Housing of the CDP.

Access and Parking

The Roads Department of the council have reviewed the proposed development and have stated no objections to the development subject to **conditions** as noted in the following report:

'Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.'

Description:

Construction of a new two storey house adjacent to the existing house; a new driveway to the front; new garden access gates to the side and all associated site works.

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Vehicular Access

The applicant has proposed a 3m wide driveway for the new dwelling. This is considered acceptable by Roads.

There appears to be a utility service cover in the grass verge. If this is the case, the applicant shall make any necessary arrangement with the correct utility provider if the proposed works are going to impact on these assets.



Possible utility service cover?

Car Parking

The proposed car parking area is adequate for a dwelling of this size and location.

Pedestrian Side Access

No pedestrian access gate inside boundary wall to be installed as it would set an undesirable precedent leading to obstructions for footpath users.

No Roads objections subject to the following conditions:

- 1. The vehicular access points shall be limited to a width of 3.5 meters for both existing and proposed dwelling.*
- 2. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed new driveway entrance.*
- 3. The applicant shall make any necessary arrangement with the correct utility provider if the proposed works are going to impact on any utility service assets.*
- 4. No pedestrian access gate inside boundary wall to be installed as it would set an undesirable precedent leading to obstructions for footpath users.*

It is deemed appropriate with the nature, scale and location of the proposed development that the **conditions** as indicated by the Roads Section shall be attached in the event of a grant of permission.

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Green Infrastructure and Landscaping

The subject site is located proximate to the Primary Green Infrastructure Corridor (No.5 – Camac River Corridor) as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. Connection to existing local storm water line is proposed for rain water while 2 No. Water butts are proposed for the downpipes on the rear of the dwelling. Permeable paving is also proposed for the new driveway surface and rear patio area which would be in accordance with GI14 Objective 1 of the CDP.

The Public Realm department of the council have also reviewed the subject application. The report received states the following:

The following condition is recommended to be applied:

Conditions

1. Protection of Street Trees in Grass Margins

*The applicant is to ensure the protection of the existing street trees to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works. Commencement of development should not be permitted without adequate protective fencing being in place in line with BS 5837. This fencing, enclosing the tree protection area must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas indicated on plan. **NCBH11 Objective 3***

2. 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.*
- *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*

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REASON: In order to ensure the protection and enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the design process in accordance with relevant policies of the CDP 2022-2028.

3. Proposed Removal/Reduction of grass margin to facilitate a driving entrance.

The Public Realm Section would not be in favour in allowing a resident to remove or reduce a grass margin which are in the public domain to accommodate the provision of a driving entrance. We believe this sets an unwanted precedent and grass margins should be retained where possible in the urban setting.

Grass margins in urban areas provide a full range of ecosystem services such as regulating the water cycle by promoting infiltration, thus facilitating regeneration of ground-water stocks and evapotranspiration. In addition, they mitigate the heat-island effect through transpiration and evaporation and provide cooler. Another important ecosystem service is habitat provision for some urban fauna species. Grass margins are very important as they allow space and a growing medium for trees to be planted.

The subject dwelling has a mature tree in the front amenity green area which is proposed to be removed to make way for the c2.95m wide by c10.5m long driveway of the new dwelling. The tree is located in a non-fenced or enclosed area (Which is similar to adjacent and surrounding dwellings front amenity areas) and adds significantly to the Green Infrastructure of the street. The tree is located within the red line boundary of the subject dwelling. The tree in the grass margin to the front should be replaced in an appropriate position to allow for the new driveway. Condition 1 from the above Public Realm report is deemed appropriate for the protection of all other street trees that remain in the grass margin on the south/side elevation of the proposed dwelling in the event of a grant in permission.

Given the size, scale and nature of the proposed development, it is deemed appropriate in this instance that the development will not require a full GI assessment and plan however, further information is required to show how the pre-developed greenfield run off rates are managed on site. This item is dealt with in more detail in the following section.

Infrastructure and Environmental Services

Water Services have reviewed the proposed development and have requested **Additional Information** in the report which has been received.

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Surface Water Report: Additional Information Required:

1.1 Surface water run-off from the site must be limited to pre-developed greenfield run off rates by providing adequate surface water attenuation storage on site or alternatively managed via infiltration to ground. The applicant is required to submit a report and a drawing clearly showing how surface water will be attenuated to pre-developed greenfield run off rates.

1.2 Submit a drawing in plan and cross-sectional view showing design details of proposed permeable paving.

1.3 Submit a report showing results of proposed percolation tests in accordance with BRE Digest 365 Standards.

Flood Risk: No Objection

• The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

• All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

Irish Water have reviewed the proposed development and state that Additional Information is required. The report received states the following:

IW Recommendation: Further Information Required

IW Observations:

1 Water

1.1 Submit a drawing showing the distance between proposed development and the existing 100mm uPVC watermain south of site. Irish Water Standard Details for water Infrastructure require 3m clear distance from a main of this size.

1.2 Submit a confirmation letter of feasibility from Irish Water to Water Services in South Dublin County Council for proposed development...

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

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

2 Foul

2.1 The proposed development is approximately 0.2m from an existing 225mm public foul water sewer southwest of site. A minimum separation distance of 3m is required between foundation of proposed development and the outside diameter of existing 225mm foul water sewer.

Submit a revised drawing showing 3m setback distance of proposed development to existing 225mm foul sewer south west of site.

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2.2 Submit a confirmation letter of feasibility from Irish Water to Water Services in South Dublin County Council for proposed development.

Reason: In the interest of public health and to ensure adequate waste water facilities.

The report from Water Services details items in relation to surface water runoff, permeable paving and percolation test which are required in order to ensuring adequate surface water attenuation on site.

Irish Water notes how the proposed dwelling is located '*approximately 0.2m from an existing 225mm public foul water sewer southwest of site*'. A minimum separation distance of 3m is required between any foundations of proposed buildings and foul water infrastructure. A similar separation distance of 3m is also required for the 100mm watermain located to the south of the site which measurements from boundary wall of dwelling are not displayed. The layout of the proposed dwelling is required to be setback form the boundary and location of the existing utility services. This can be addressed by means of **Additional Information**.

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 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 (AA)

The applicant has not submitted any information in relation to screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves the construction of a new two storey house adjacent to the existing house with new driveway to the front and new garden access gates to the side.

Having regard to:

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

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

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Conclusion

The proposed provision of a house on this site is acceptable in principle. However, having regard to the proposed layout and design of the proposal, the applicant should be asked to provide a revised proposal addressing the following:

1. Reduce the width of the dwelling so as to provide a minimum set back of 0.9m or the minimum required by water services following the inclusion of appropriate separation distance for water infrastructure from the southern boundary wall of the site.
2. Omit the proposed rear pedestrian access gates on the southern boundary and make suitable provision for bin storage to the front of the existing and proposed dwellings.
3. Submit revised plans and documents relating to the treatment of water and water infrastructure on the subject site which includes setting the proposed dwelling back 3m from services.

Recommendation

Request Additional Information.

Additional Information

Additional Information was requested on the 18/1/2023.

Additional Information was received on the 14/3/2023.

Consultations

Parks -	No comments/objection.
Roads –	No report at time of writing.
Surface Water Drainage –	No objection subject to conditions .
Irish Water -	No objection subject to conditions .

Planning Note:

An enforcement case S9080 was opened on 9th March 2023 in relation to 64, Monastery Drive. No.64 is the dwelling house of which the proposed new dwelling would be located in the side garden of. The case relates to a double story extension to side of property without planning permission.

It is noted that the enforcement case is open and is currently active. The case will be pursued by separate means through Planning Enforcement. It is also noted from site visit that the revised drawings and documents do not display any works subject to the enforcement case.

Notwithstanding this, the subject application relates to a new dwelling in the side garden of No.64, more specifically the development as described under the public Site Notice. This is assessed on its own merit in the interests of proper planning and sustainable development of the area.

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Additional Information

The Additional Information requested was as follows:

1. *The dwelling is proposed to be built on the southern boundary with no setback provided. The applicant is required to:*
 1. *Provide a minimum set back of 0.9m or the minimum required by water services following the inclusion of appropriate separation distance for water infrastructure on the southern boundary wall of the site.*

The proposed rear pedestrian access paths and gates to both No.64 and 64a (subject site) would provide an unwanted precedent for gated access points to rear gardens on public streets that also has the potential to significantly obstruct pedestrian safety on the footpath.

The applicant is required to:
 2. *Omit the proposed rear pedestrian access gates on the southern boundary and provide for suitable bin storage to the existing house and to the proposed house.*
2. *Surface Water:*

Surface water run-off from the site must be limited to pre-developed greenfield run off rates by providing adequate surface water attenuation storage on site or alternatively managed via infiltration to ground. The applicant is required to:

 - 1.1 *Submit a report and a drawing clearly showing how surface water will be attenuated to pre-developed greenfield run off rates.*
 - 1.2 *Submit a drawing in plan and cross-sectional view showing design details of proposed permeable paving.*
 - 1.3 *Submit a report showing results of proposed percolation tests in accordance with BRE Digest 365 Standards.*
3. *Water*

The applicant is requested to:

 - 1.1 *Submit a drawing showing the distance between proposed development and the existing 100mm uPVC watermain south of site. Irish Water Standard Details for water Infrastructure require 3m clear distance from a main of this size.*
 - 1.2 *Submit a confirmation letter of feasibility from Irish Water to Water Services in South Dublin County Council for proposed development. Reason: In the interest of public health and to ensure adequate water facilities.*

Foul

The proposed development is approximately 0.2m from an existing 225mm public foul water sewer southwest of site. A minimum separation distance of 3m is required between foundation of proposed development and the outside diameter of existing 225mm foul water sewer. The applicant is requested to:

 - 2.1 *Submit a revised drawing showing 3m setback distance of proposed development to existing 225mm foul sewer south west of site.*

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2.2 Submit a confirmation letter of feasibility from Irish Water to Water Services in South Dublin County Council for proposed development. Reason: In the interest of public health and to ensure adequate waste water facilities.

Assessment of Additional Information submitted.

Item 1 – Design, Setback and Boundary Treatment

The applicant has submitted additional information which modifies the design of the proposed dwelling. The design removes a protruding side element of the dwelling to form a single building line which would be setback from a minimum of approximately 0.6m to 1.055 metres from the southern boundary/side elevation which borders Monastery Drive. The ground floor plan of the building includes a skewed setback on the southern side elevation to allow for a rear access passage and the retention of the existing boundary wall. The side elevational building line is no longer proposed to over sail the public realm. The setback provides sufficient access to the rear of the proposed dwelling for the storage of bins. The pedestrian access points that were proposed for the rear of the site have been removed which is satisfactory.

The first floor of the proposed dwelling has also been redesigned with the removal of the protruding element however maintains a straight building line unlike the skewed one on ground floor level below. This would result in an overhang towards the rear of the southern side elevation. The first-floor side elevation would be located c0.3m from the boundary wall and overhangs the 1.055m wide side access passageway for approximately 4.5m in length as the ground floor tapers in. The overhang would not over sail into the public realm and is located within the site boundary. The redesign of the dwelling has been adequately set back the dwelling from the southern side boundary reducing any possible overbearing or over dominant effect the dwelling posed on the prominent corner location.

The redesign has altered the internal space of the dwelling. The proposed house would be 143.9sqm in size reduced from 152.4sqm. The proposed dwelling would exceed the minimum required for a 3 bed, 5 person dwelling in the 2007 Quality Housing Guidelines and would meet the minimum floorspace requirements in relation to living space, bedroom area and storage space of the CDP and 2007 Quality Housing Guidelines.

It is considered that this item of the request has therefore been adequately addressed.

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Item 2 – Surface Water

The applicant has submitted additional information relating to surface water attenuation and SuDS. 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 3 - Water

The applicant has submitted additional information which includes Proposed Site Plans showing Irish Water assets and distances to the assets from proposed foundations. (It is noted that the Drawing No.1910-CT-IW202 has not been updated to reflect the revised development, the applicant shall ensure updated site layout plan shall be submitted to the local authority when submitting feasibility letter to Water Service as required by condition.)

Irish Water have reviewed the complete submission and have stated no objection to the revised development, subject to standard **conditions**. It is considered that this item of the request has therefore been adequately addressed.

Other Considerations

Development Contributions

Proposed works	143.9sqm
Total Assessable	143.9sqm

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Planning Reference Number	SD22A/0436
Summary of permission granted & relevant notes:	Construction of a new two storey house adjacent to the existing house; a new driveway to the front; new garden access gates to the side and all associated site works.
Are any exemptions applicable?	Yes
If yes, please specify:	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
Is development commercial or residential?	Residential
Standard rate applicable to development:	119.10
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€119.10
Area of Development (m2)	143.9
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	143.9
Total development contribution due	€17,138.49

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SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
<ul style="list-style-type: none">Residential – Construction of a new two storey house adjacent to the existing house; a new driveway to the front; new garden access gates to the side and all associated site works.	143.9sqm
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0621

Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the proposed development, 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 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 14/3/2023, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission,

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and that effective control be maintained.

2. External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

REASON: In the interest of visual amenity.

3. Restriction on Use.

The house shall be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

REASON: To prevent unauthorised development.

4. Vehicular Access and Boundary Treatments:

1. The vehicular access points shall be limited to a width of 3.5 meters for both existing and proposed dwelling.

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

3. The applicant shall make any necessary arrangement with the correct utility provider if the proposed works are going to impact on any utility service assets.

4. No pedestrian access gate inside boundary wall to be installed as it would set an undesirable precedent leading to obstructions for footpath users.

REASON: In the interest of public safety and the proper planning and sustainable development of the area, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10.

5. Protection of Street Trees in Grass Margins:

The applicant is to ensure the protection of the existing street trees to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works. Commencement of development should not be permitted without adequate protective fencing being in place in line with BS 5837. This fencing, enclosing the tree protection area must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas indicated on plan. NCBH11 Objective 3

6. Surface Water Drainage

1. The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

2. All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

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

7. Irish Water Services:

Water

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

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

Foul

2.1 Prior to the commencement of development the applicant or developer shall Submit a confirmation letter of feasibility from Irish Water to Water Services in South Dublin County Council for proposed development including an updated drawing number 1910-CT-IW202 showing the updated Proposed Layout Plan with Irish Water services.

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

8. 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.

9. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

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

The applicant or developer shall also endeavour to engage in local consultation in respect

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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.

10. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €17, 138.49 (Seventeen thousand, one hundred and thirty eight euro and forty nine cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

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

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

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

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

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

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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required. The property must not encroach or oversail the boundary wall onto or over the public footpath or realm.

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REG. REF. SD22A/0436

LOCATION: 64, Monastery Drive, Dublin 22



**Barry Coughlan,
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: 04/04/2023



**Deirdre Kirwan,
Senior Executive Planner**