

Weber Architecture
180, Rathgar Road
Dublin 6

Date : 07-Feb-2024

Reg. Ref. : SD22A/0450/C3
Proposal : Demolish single storey extension at side, erect a two storey four bedroom semi-detached dwelling (end of terrace) at front, side and rear including new front vehicular entrance for existing dwelling, existing front vehicular entrance will be retained for new dwelling; Revisions to previously approved plans SD17A/0172; The proposal includes demolishing a conservatory extension and construction of a single storey extension to rear of existing dwelling.

Condition 3:

The applicant, owner or developer is required to submit the following to the planning authority for approval:

1. Landscape and GI Plan -

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

(ii) In addition the applicant is required to provide a GI Plan – this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets.

2. Boundary Treatment

The applicant is requested to submit elevation drawings specifying the proposed boundary treatment to the front of the site.

3. Arboricultural Impact Assessment (AIA)

The applicant is required to submit a thorough, detailed and realistic analysis and assessment of the likely impacts of the new front vehicular entrance as part of the development proposals. The AIA should be undertaken in accordance with BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction.

4. Tree Protection

The applicant is required to ensure that any tree protection measures employed are in accordance with BS5837:2012: in

order to ensure the protection of the existing trees located within the grass margin outside the property:

- a) The existing street trees located within the grass margin shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction;
- b) Any works within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed access beneath the branch spread or within the exclusion fencing. Any trees that are damaged or felled during construction work must be replaced with semi mature trees of the same or similar species.

5. Sustainable Drainage Systems

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

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

(B) 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.

(C) Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.

Note: If tree pits are proposed, SuDS bioretention Tree pits to be installed in trees within /draining areas of hard standing. Tree Pits to incorporate SuDS bioretention features and sufficient growing medium. SuDS details need to show how the water drains from the road/pavement hard surface into the SUDS tree pit, clearly outlining how SuDS features within the tree pits will function. The applicant is requested to refer to the recently published ‘SDCC

Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

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

Location : 23, Knocklyon Close, Dublin, 16.
Applicant : Alan Davis
Application Type: Compliance with Conditions

Dear Sir/Madam,

I refer to your submission received on 06-Dec-2023 to comply with Condition No 3 of Grant of Permission No. SD22A/0450, in connection with the above.

In this regard I wish to inform you that the submission received is deemed **not** compliant.

Comments:

“Documents provided by Applicant:

The compliance documentation received included the following:

- Cover Letter, Prepared by Eamonn Weber, Weber Architecture.
- Drawing No: 18/22 – Compliance with Conditions, Plans Sections Elevations, Prepared by Weber Architecture.

It is noted that the covering letter (dated 28th August 2023) was received by the Planning Authority on 6th December 2023. This covering letter refers to enclosed plans “*to comply with Conditions 2 & 3*”. In this regard, it is noted that Condition 2 of the grant of permission under SD22A/0450 stated the following:

Condition 2

Vehicular Access:

The applicant, owner or developer shall ensure that:

1. *The boundary walls 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.*
 2. *The vehicular access point shall not exceed a width of 3.5 meters.*
 3. *Any gates shall open inwards and not outwards over the public domain.*
 4. *All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*
 5. *The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.*
- REASON: In the interests of traffic safety and amenity.*

The Planning Authority notes that Condition 2 does not require written agreement from SDCC. In the interest of clarity, it is however noted that the particulars submitted indicate that the boundary walls of the subject development would not exceed 0.9m in height; the boundary pillars would not exceed 1.2m in height; the vehicular access points would not exceed 3.5m in width; and that no gates (inward or outward opening) are indicated to either site access.

The below assessment refers to Condition 3 of the grant of permission under SD22A/0450 (detailed in full above), which does require written agreement from SDCC.

Assessment:

The compliance documents were referred to the Public Realm Department of the council who had the following comments in relation to correspondence received regarding Condition 3:

Assessment

I refer to the planning compliance documents submitted on behalf of the applicant in relation to the above referenced granted planning application and am to advise as follows:

Brief Summary of Compliance Submission:

2. Boundary Treatment

The applicant is requested to submit elevation drawings specifying the proposed boundary treatment to the front of the site.

3. Arboricultural Impact Assessment (AIA)

The applicant is required to submit a thorough, detailed and realistic analysis and assessment of the likely impacts of the new front vehicular entrance as part of the development proposals. The AIA should be undertaken in accordance with BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction.

Assessment of Compliance Submission for Compliance with Condition 2:

By way of a response the applicant has provided the following information in relation to Condition 2:

- *Plans Sections Elevations (Dwg. No. 18/22)*

Public Realm Response:

This submitted information is acceptable to the Public Realm Section and the applicant is therefore in Compliance.

Assessment of Compliance Submission for Compliance with Condition 3:

By way of a response the applicant has provided the following information in relation to Condition 3:

- *Plans Sections Elevations (Dwg. No. 18/22)*

Public Realm Response:

This submitted information is NOT acceptable to the Public Realm Section and the applicant is therefore NOT in Compliance. As required by Condition 3 of SD22A/0450 the applicant is required to submit an Arboricultural Impact Assessment (AIA).

Recommendation:

Condition 2: The Public Realm Section Agree the Compliance Submission

Reason: The applicant has provided the required information

Condition 3: The Public Realm Section Does Not Agree the Compliance Submission

Reason: The applicant has NOT provided the required information

Assessment:

The report from Public Realm is noted in full. The detail and report from Public Realm in relation to Condition no.3(2) (Boundary Treatment) of the overall request is considered acceptable.

In relation to Condition no.3(3), the Public Realm department considers the submitted information not to be acceptable and is therefore not in Compliance. As required by Condition 3 of SD22A/0450, the applicant is required to submit an Arboricultural Impact Assessment (AIA).

The report from Public Realm did not reference part 1,4 or 5 of Condition 3 as no information was submitted by the applicant to demonstrate compliance. Further clarity was sought from the Public Realm department by the planning authority in relation to compliance with the above and the initial report. A response from Public Realm stated the following:

'In relation to conditions 1, 4 & 5 the applicant hasn't provided/submitted any information in relation to these conditions so is still therefore not in compliance with these conditions.'

Given this and coinciding with the comments from the Public Realm Department, the Planning Department consider the submitted information is therefore not acceptable with regard to Condition no.3(1), 3(3), 3(4) and 3(5), and the required information should be submitted as required in order to ensure compliance with Condition no.3.

Recommendation:

It is therefore considered that this submission is **Not Compliant** with the condition.

Conclusion:

Having regard to the information submitted and the requirements laid out in Condition No.3, the Planning Authority consider that Condition No. 3 is Not Compliant.

Note: The applicant should be advised of the above report, in full, for information. “

“The submitted information is not acceptable to the Public Realm department. The compliance submission is not compliant with Condition no.3(1), 3(3), 3(4) and 3(5).

The applicant is required to submit a Landscape and GI Plan, Arboricultural Impact Assessment (AIA), SUDS Management Plan and Tree Protection measures as required by Condition 3 of SD22A/0450. “

Yours faithfully,

M.C.

for Senior Planner