

**Ronan MacDiarmada,
Ronan MacDiarmada & Associates Ltd
Tootenhill Cottages
Rathcoole
Co. Dublin
D24 XA02**

Date : 11-Apr-2024

Reg. Ref. : SD22A/0356/C6
Proposal : 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.

**Condition 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.

Location : Oldcourt Road, Firhouse, Dublin 24.
Applicant : Capami Ltd
Application Type: Compliance with Conditions

Dear Sir/Madam,

I refer to your submission received on 15-Feb-2024 to comply with Condition No 6 of Grant of Permission No. SD22A/0356, in connection with the above.

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

Comments:

“Condition No. 6 states:

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.

Documents provided by Applicant:

The Applicant has provided the following information to demonstrate compliance with Condition No.6:

- Cover Letter, prepared by Ronan MacDiarmada + Associates Ltd.,
- Landscape Masterplan, drawing, prepared by Ronan MacDiarmada + Associates Ltd.

Assessment:

The applicant has stated that the proposed layout of the parent permission (SD17A/0468) has not changed as a result of the granted permission SD22A/0356. As such, the street layout remains the same and no further street trees are proposed. While this is noted, the condition requires the consideration of the provision of additional street trees. The applicant has failed to understand that the layout shall remain the same, save for where required to make alterations by condition, such as is required by Condition 6. It is not considered the applicant has provided sufficient justification as to why street tree provision has not been increased, and, regardless of this, a specific tree planning plan is required to be agreed and has

not been submitted. **The applicant therefore has not complied with the requirements of this condition.**

Public Realm have reviewed the submission and have stated that the condition requiring street trees is very clear. This position is agreed by the Planning Authority, and is evident from the sentence '*DMURs requires street trees every 14-20 m along streets, and this has not been achieved*' which indicates further consideration of street trees to comply with the requirements of DMURS is required. Public Realm have provided the following response to assist the applicant in revising the scheme to provide for additional street trees:

Where street trees have not been provided, the footpath should be moved to the inside, (i.e. car parking and tree on the street edge), to enable the street tree to be integral to the street. All Street Trees planted within the Public Realm shall have suitable tree pits that incorporates SuDS features including sufficient growing medium. Where the applicant can provide street trees within the street without the alteration of car parking, the applicant shall submit plans detailing compliance with all relevant standards in relation to DMURS and the provision of street trees.

All Street Trees shall be planted fully within the Public Realm and shall have suitable tree pits that incorporate SuDS features.

Street Trees to be planted at:

- i. Minimum 18-20m girth along local streets (Check DMURS standards)*
- ii. Minimum 16-18cm girth on local roads, i.e. home zones.*

As the applicant has made no attempt to provide additional street trees, the submission cannot be deemed compliant.

Conclusion:

Having regard to the information submitted, the requirements laid out in Condition No. 6 and the response of Public Realm, the Planning Authority consider that Condition No. 6 is **not compliant**, and the Applicant should be informed. “

Yours faithfully,

M.C.

for Senior Planner