

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/0953/21

Reg. Reference: SD21B/0292 **Application Date:** 19-May-2021
Submission Type: New Application **Registration Date:** 19-May-2021
Correspondence Name and Address: Peadar McAdam, Granville Design Service 55,
Granville Road, Dun Laoghaire, Co. Dublin
Proposed Development: Construction of a garden room and store and all
associated site works in rear garden.
Location: 54, Rathlyon Grove, Dublin 24
Applicant Name: Tom Cooke
Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Description:

The site accommodates a 2-storey, semi-detached dwelling with hipped roof and a side return with lean-to pitched roof. The house is finished with brick at ground level to front, and render finish to sides, back, and first floor level, and the front door is located in a recess in the façade. Access to the rear is provided by a side gate beside the house.

The site is wide at over 9 metres in width, and overlooks a large public green space, and has vehicular access as well as provision of on-street parking to the front. It is bound by neighbouring dwellings to each side but backs onto Daletree Drive – a road with no residential frontage. The area is characterised by dwellings of similar character.

Site Area: 0.0265 Ha.

Site Visit: 21/6/2021

Proposal:

- Construction of a garden room and store and
- all associated site works in rear garden.

NB: Site works include lowering of garden ground level.

Zoning

The site is subject to zoning objective 'RES' – 'To protect and/or improve residential amenity.'

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Consultations:

Environmental Services Recommends request for Additional Information.
Irish Water No objection, subject to conditions.

Screening for Strategic Environmental Assessment

None.

Submissions/Observations /Representations

None.

Relevant Planning History

None

Relevant Enforcement History

None found in preliminary search.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Council Development Plan 2016-2022

Section 11.3.2 (iii) Backland Development

Section 11.3.3 Additional Accommodation

National Guidelines & Policy relevant to Development Management in SDCC

Ministerial Guidelines and Policy

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

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).

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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
- PL08/2020: Vacant Site Levy

Circular NRUP 02/2021 - Residential Densities in Towns and Villages

Assessment

The main issues for assessment are:

- Zoning and Council policy;
- Visual impact and Residential amenity;
- Access, Transport and Parking
- Water services;
- Environmental impact assessment;
- Appropriate assessment.

Zoning and Council Policy

The site is located in an area which is subject to zoning objective 'RES' – '*To protect and/or improve Residential Amenity*'. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the South Dublin County Development Plan 2016 - 2022. The Plan does not specifically address rear garden structures, but section 11.3.2 (iii) does give the following principles for backland development:

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“The design of development on backland sites should meet the criteria for infill development in addition to the following criteria:

- Be guided by a site analysis process in regard to the scale, siting and layout of development.
- Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area.
- Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking.
- Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.

It is considered that points 2 and 3 are relevant to an application for a garden shed. Garden sheds are generally exempted from the requirement to obtain planning permission, subject to a maximum size of 25sq.m. The applicant has stated that the proposed floor area would be 20.4sq.m. However, the plans indicate a floor area of approximately 30sq.m.

Visual Impact and Residential Amenity

The proposed development would have a flat roof and be 3 metres above ground. The only windows are a double-glazed uPVC window and bi-folding door on the eastern elevation, facing the house. The structure is proposed to be subdivided into a garden room of 20.4sq.m, and a garden store of 9.2sq.m, which is accessed via the garden room.

The shed would be approx. 6.6 metres from the rear of the main house, leaving approx. 62sq.m of private amenity space. This is considered adequate both in terms of separation distance and quantum of space remaining. There are no issues of overshadowing given the orientation of the garden, and no issues of overlooking given the arrangement and height of the proposed structure.

Excluding from the floor area from consideration, this structure could be considered exempt development. The large floor area does not detract from the private amenity of the property or the residential character of the area, and there are no issues of overlooking or overshadowing. The shed would not have an overbearing visual impact on occupants of this or other properties and is acceptable.

Any grant of permission should require that the structure cannot be used separately to the main dwelling, nor be used as a means to subdivide the dwelling.

Water

The structure is proposed to be connected to a soakaway, though no design drawings have been provided.

The Environmental Services Department has sought additional information on the following points:

- Proximity to a public surface water drain pipe to the west (rear) of the site.
- Percolation testing for the soakaway;
- Design details for the soakaway;

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- Use of water butts.

It is considered appropriate to seek **additional information** in relation to the proximity of development to the public pipe. It is necessary for the applicant to show either that adequate distance is being maintained, or that there will be no additional loading on the pipe.

Percolation testing and design details of the soakaway could be dealt with by condition in the event of a grant of permission but, given the other concerns on this site, it would be appropriate to seek this as **additional information** as well.

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 applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Other Considerations

Bonds & Contributions

This is a proposal for an ancillary residential structure of 29.1sq.m.

SEA Monitoring

Development Type: Residential

Floor Area (sq.m): 29.1sq.m

Site Type: Brownfield / Urban Consolidation

Site Area (Ha.): 0.0265

Conclusion

The proposed development would not be injurious to adjoining properties or to the amenities or character of the area, by way of any visual impact, nor would it cause an unacceptable reduction in private amenity space to this site. The development is acceptable in principle; however, there is an issue relating to water infrastructure which should be addressed by **additional information** prior to any grant of permission.

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Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. South Dublin County Council records show that there is an existing 225mm public surface water sewer to the west of the site. The applicant is requested to submit a drawing in plan and cross-sectional views showing the distance between the proposed building and the existing 225mm surface water sewer. The drawings shall also show the invert levels of the existing 225mm surface water sewer and any adjacent proposed building foundations. Generally a minimum clear setback distance of 3m is sought between all building foundations and a surface water sewer this size.

Note: The applicant should note that, subject to the above findings, revised designs may be required. Where revised proposals are required, the applicant should submit revised site layout plan, floor plans and elevational drawings.

2. (a) There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is requested to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
(b) The applicant is requested to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - (i) At least 5m from any building, public sewer, road boundary or structure.
 - (ii) Generally, not within 3m of the boundary of the adjoining property.
 - (iii) Not in such a position that the ground below foundations is likely to be adversely affected.
 - (iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
 - (v) Soakaways must include an overflow connection to the surface water drainage network.

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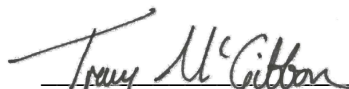
LOCATION: 54, Rathlyon Grove, Dublin 24



Colm Maguire,
Assistant Planner

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date: 13/07/2021



Tracy McGibbon,
A/Senior Executive Planner