

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1004/21

Reg. Reference: SD21A/0054 **Application Date:** 05-Feb-2021
Submission Type: Additional **Registration Date:** 24-Jun-2021
Information

Correspondence Name and Address: Jason Walsh Architectural Services 12, Ard Mor Crescent, Tallaght, Dublin 24

Proposed Development: A two storey, detached house to side of existing house with new vehicular access and all associated site works.

Location: 67, Coolamber Park, Knocklyon, Dublin 16

Applicant Name: Deborah Soave

Application Type: Permission

(BH)

Description of Site and Surroundings

Site Area

Stated as 0.02161ha

Site Description

The application site consists of the side garden of a two-storey, detached property that is located on the corner of Coolamber Park in Knocklyon. The surrounding area is residential in nature.

Proposal

Permission is sought for the following:

- Two storey detached dwelling,
- Vehicular entrance.

Zoning

The subject site is subject to zoning objective 'RES' - *'To protect and/or improve Residential Amenity'*.

Consultations

Water Services – additional information

Roads –

Submissions/Observations /Representations

Submission expiry date – 08/03/2021

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None received.

Relevant Planning History

None recorded.

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded

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

2 Housing

Section 2.4.0: Residential Consolidation – Infill, Backland, Subdivision & Corner Sites

Policy H17 Residential Consolidation

Policy H17 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 11 Implementation.

7 Infrastructure & Environmental Quality

Policy IE 1 Water & Wastewater

Policy IE 2 Surface Water & Groundwater

Policy IE 3 Flood Risk

Policy IE 7 Environmental Quality

8 Green Infrastructure

Policy G1 Overarching

Policy G5 Sustainable Urban Drainage Systems

9. Heritage, Conservation & Landscapes

Policy HCL2 Natura 2000 sites

11 Implementation

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Table 11.20: Minimum Space Standards for Houses

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 11.3.2 (i) Infill Sites

Section 11.3.2 (ii) Corner/Side Garden Sites

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

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Section 11.4.4 Car Parking Design and Layout

Section 11.6.0 Infrastructure and Environmental Quality

- (i) Flood Risk Assessment
- (ii) Surface Water
- (iii) SUDS
- (iv) Groundwater
- (v) Rainwater Harvesting
- (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 EIA

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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

Assessment

The main issues for assessment are as follows:

- Zoning and Council policy
- Residential Amenity
- Visual Amenity
- Services and Drainage
- Access and Parking
- Trees and Landscaping
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity.' The development of a dwelling is permitted in principle subject to its accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.2 (i) which relates to Infill Sites and (ii) Corner/Side Garden Sites.

Residential Amenity

Given the proposed siting of the new dwelling it is not considered that it would be materially harmful to neighbouring residential amenity to the properties to the west, north and east, given the separation distances involved and the fact that there would be no directly facing habitable room windows.

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With regard to the existing property, the front building line would be level with the exception of a porch. The rear element would extend past the rear building line but a set in from the boundary is proposed and the depth is not considered to be materially harmful. There does however appear to be double doors that are glazed that are located on the ground floor of the side elevation serving a dining room. As this elevation would form the boundary wall it would be important for the applicant to clarify as **additional information** whether these doors are proposed to be blocked up as the presence of glazing directly on the boundary could lead to privacy issues.

There are also concerns with the front parking area and the fact that it would be located directly in front of a habitable room window in the existing property. This is recommended to be addressed as **additional information**.

Standard of accommodation

The proposed dwellings would exceed the minimum internal size for a two-bedroom dwelling as per table 11.20 of the CDP. It is noted that the top floor has been proposed to accommodate a study however the head height would not facilitate a habitable room.

As per table 11.20 the proposed and existing dwellings would require a minimum of 55 and 75sq.m of private amenity space, respectively. The applicant has stated that both properties would be afforded 166sq.m however this does not appear to be correct based on measurements of each site. It is also noted that there are what appear to be outbuildings or areas of hardstanding to the rear. It is therefore recommended that the applicant provides **additional information** with the exact amount of amenity space proposed for each dwelling and includes details of existing outbuildings as this would need to be taken away from the amount of space.

Regarding storage, the minimum requirement for a two-storey dwelling of this size is 5sqm. The applicant has indicated that storage would be provided within the utility room but has not specified the exact amount proposed. This is recommended to be clarified as **additional information**.

Visual Amenity

The area is characterised by two storey and detached houses, with full gabled roofs. The proposal would see the erection of a two-storey dwelling with a single storey rear projection.

Section 11.3.2 (ii) sets out a number of criteria in relation to residential development within corner/side garden sites that include:

- the size of the site and its ability to accommodate a dwelling,
- the design and building line,
- the architectural language,
- the height,
- and the inclusion of dual frontage

With regard to the size of the site, the side garden has a width of approximately 7m which is quite narrow. However, a smaller scale dwelling is likely to be accommodated within this space.

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With regard to the design, the dwelling would appear modern with a simple design. The building line would be in line with the existing front and extend past the rear by means of a single storey rear projection.

In terms of the architectural language no details of boundary treatment have been submitted and the materials used would contrast to the existing properties in the area. It is recommended that the applicant submits further details of the proposed boundary treatment and materials that match the neighbouring properties as additional information.

With regard to the height, although a full gabled roof is proposed, it would be taller and steeper than the neighbouring properties and is therefore recommended to be reduced in size as currently the dwelling would appear awkward in the context of the site. This is recommended to be addressed as **additional information**.

The applicant has not proposed any windows at ground floor level that would provide dual frontage. There are concerns that the side elevation as proposed would result in a blank façade in a prominent location. This is recommended to be addressed as **additional information**.

Services and Drainage

Water Services has assessed the proposal and has no objections in relation to flooding but has requested additional information in relation to surface water with comments provided below:

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 shall submit a report and a drawing clearly showing how surface water up to and including the 1:100 (1%) year critical storm with climate change allowance will be attenuated on site to pre-developed greenfield run off rates or alternatively via infiltration to ground.

1.2 The applicant shall submit a drawing showing plan and cross sectional views of proposed SuDS (Sustainable Drainage Systems) features for the development as per the Greater Dublin Strategic Drainage Study (GSDSDS) Volume 2- New Development requirements

1.3 The applicant shall include water butts in proposed development as part of SuDS measures and show these on revised drawing.

It is recommended that the applicant addresses this concern by submitting **additional information**.

No response has been received from Irish Water to date. However, standard conditions in relation to water and foul water would be recommended should permission be granted.

Access and Parking

The Roads Department has assessed the proposal and has raised a number of concerns with comments provided below:

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Roads Department has concerns over the available/proposed space for car parking spaces, a revised layout shall be submitted, showing a space for two on curtilage car parking spaces; 6 m distance from the front elevation to the front boundary; a maximum of 3.5m wide entrance; a swept path analysis showing how parked vehicles can access and egress the site safely; and finally, any trees to be removed shall be agreed with parks department.

Roads have requested additional information regarding the parking layout which should be able to accommodate two cars, a 6m distance between the front elevation and front boundary, a 3.5m wide driveway and a swept path analysis to show that cars can access the drive.

Given the lack of information provided in relation to the front driveway area it is considered reasonable to request this as **additional information**. In addition to this, due to concerns previously raised about the proximity of the proposed driveway to a habitable room within the existing dwelling, the applicant is requested to consider an alternative layout conforming to the requirements of the Roads Department.

Trees and Landscaping

It is noted that there are two street trees present in front of the site and adjacent to where the proposed vehicular entrance would be located. The applicant has not shown these trees on any of their submitted plans, nor have they provided any information on how the presence of the trees could impede the entrance. As the trees are not located within the application site the applicant would need the permission of the SDCC Public Realm Section to remove them. Tree protection measures are also likely should they be proposed to be retained. However, based on the information submitted it is not clear how the proposal and in particular the vehicular entrance could be accommodated given the siting of the trees.

The property appears to benefit from large boundary planting. Again, no details of whether this is proposed to be removed or retained have been provided.

It is therefore recommended that the applicant provides **additional information** clearly showing the presence of the trees in relation to the entrance and how they propose to accommodate the entrance as well as what vegetation along the boundary is proposed to be removed or retained.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura sites, it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 AA is not required.

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 real 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.

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Conclusion

Whilst the construction of a new dwelling in the side garden of the existing property is considered to be acceptable in principle, there are concerns in relation to residential amenity, visual amenity, surface water, street trees and landscaping, and parking and access that are required to be addressed in order for the planning authority to make an informed decision.

Recommendation

Request Further Information.

Further Information

Further Information was requested on 31st March 2021.

Further Information Received on 28th June 2021.

Consultations:

Roads – No objections, subject to conditions

Further Information:

1. There are concerns with the suitability of the site and in particular the front driveway area of the proposed dwelling to safely accommodate vehicles. There are also concerns in relation to the potential impact of the proposed parking area on a habitable room window in the existing property to its proximity. Due to the lack of information provided the applicant is requested to submit the following:

- (a) A revised layout that provides enough space for two on curtilage car parking spaces that does not impede views out of any of the existing dwellings ground floor windows.
- (b) 6m distance from the front elevation to the front boundary should be provided to safely accommodate the parking of vehicles.
- (c) An entrance with a maximum width of 3.5m
- (d) Full details of the proposed vehicular entrance including front boundary treatment and any pillars proposed. The boundary walls at vehicle access points should be limited to a maximum height of 0.9m, and any boundary pillars should be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
- (e) A swept path analysis demonstrating that vehicles can access and egress the site safely.

2. There are concerns with the potential impact on neighbouring residential amenity and the amenity of prospective residents of the new dwelling. The applicant is therefore requested to submit the following:

- (a) Clarification on whether the glazed double doors at ground floor level are proposed to be retained or removed. The applicant is required to submit revised plans showing their removal due to concerns with privacy.

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- (b) Clarification on the relationship between the proposed front parking area and the potential impact on the window serving the 'family room'. The applicant is required to clarify where in this area would a car park and also what boundaries are proposed.
 - (c) Clarification on the exact amount of private amenity space proposed for the existing and new dwelling, taking into account any areas of hardstanding or outbuildings to the rear. The amount of amenity space should correspond to the requirements of table 11.20 of the County Development Plan as a minimum. The applicant is also advised that private amenity space should be located behind the front building line.
 - (d) Provide details of a minimum of 5sqm of storage on the ground floor for larger household items.
3. Due to concerns with the prominent nature of the site on a corner and the potential visual impact, the applicant is requested to submit the following:
- (a) A reduction in the height of the roof to create a less bulky dwelling.
 - (b) The inclusion of ground floor windows in the side elevation to create dual frontage and reduce the creation of a blank façade.
 - (c) Details of materials that match the existing properties in the area.
4. Due to concerns with the lack of information submitted in relation to surface water, the applicant is requested to submit the following:
- (a) 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 up to and including the 1:100 (1%) year critical storm with climate change allowance will be attenuated on site to pre-developed greenfield run off rates or alternatively via infiltration to ground.
 - (b) a drawing showing plan and cross sectional views of proposed SuDS (Sustainable Drainage Systems) features for the development as per the Greater Dublin Strategic Drainage Study (GSDSDS) Volume 2- New Development requirements.
 - (c) details of water butts in the proposed development as part of SuDS measures and show these on revised drawing.
5. There are concerns with the siting of the proposed vehicular entrance, the potential impact on two street trees that are outside of the applicants control and redline boundary, and the ability of the applicant to implement the proposal if granted planning permission. The applicant is requested to provide the following information:
- (a) a site layout clearly showing the proposed location or an alternative location for the vehicular entrance in relation to the street trees which should also be clearly marked.
 - (b) details of contact with the SDCC Public Realm section regarding the street trees and the necessary permission to remove them if required.
6. There are concerns with the lack of information submitted in relation to existing and proposed natural vegetation within the site. The applicant is therefore requested to submit the following:
- (a) Details of existing and proposed landscaping within the site including a landscaping plan.
 - (b) Existing vegetation should be retained as much as possible.

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Response and Assessment:

The applicant has submitted revised proposal for the proposed development. However, the response does not include a comprehensive cover letter. The revised proposal has amended the site layout plan, providing car parking spaces to the rear and amending the front curtilage layout to only provide for a pedestrian entrance. The revised layout shows space for two on curtilage car parking spaces at the back of the proposed dwelling with driveway length of c8.9m and access point of 3m wide, and boundary walls of 900mm in height and boundary pillars of 1200mm in height. Noted that the Roads Department has no objections.

The omission of carparking to the front of the adjoining dwelling windows is welcomed (item no.2b). The revised plans for the existing dwelling outline the removal of the glazed double windows (item no.2a); this is acceptable. Sufficient storage space is available.

The rear car parking area has significantly reduced the private amenity provision and compromised the functionality of the space with proposed lower boundary walls for sightlines/ traffic safety. In this context, the revised proposal does not provide the required balance of car parking provision and adequate residential amenity. It also appears that the rear amenity space (to the rear of the building line) is below an acceptable level in terms of the Development Plan standards.

In relation to the visual concerns raised in Item no.3, the applicant has reduced the overall height to c7.7m. External finish is to match the existing house. The revised proposal includes some dual frontage windows at ground floor. In the event of a grant of permission, first floor windows to the bedrooms shall be conditioned.

Given the site size, the Planning Authority considers that a dwelling may be feasible on the site and the applicant has been given a final opportunity by clarification to address the issues.

Screening for Appropriate Assessment

The applicant has provided an Appropriate Assessment Screening Report. The report concludes that the development does not require a Stage 2 Appropriate Assessment, and that mitigation measures have not been taken into account in the consideration of the recommendation. Having regard to the information provided by the applicant's consulting ecologist, the connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Screening for Environmental Impact Assessment

Having regard to the scale 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.

Conclusion

The applicant revised the proposal as part of the further information request. Serious concerns in relation to residential amenity remain. Given the site size, the Planning Authority considers that a

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dwelling may be feasible on the site and the applicant has been given a final opportunity by clarification to address the issues.

Recommendation

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


1. (a) The applicant is advised that the revised proposal providing for the car parking spaces to the rear has resulted in a substandard provision of amenity space in terms of functionality (low boundary walls) and the quantum (below Development Plan standards to the rear of the building line). In this context, the applicant is requested to consider the feasibility of a shared car parking area to the front with the existing dwelling, amending the house design to omit the porch and potential the setting back of the building line to provide more curtilage to the front.
(b) All car parking proposal should include autotrack analysis.
(c) The revised proposal must demonstrate, on a clear site layout plan, private amenity space behind the rear building line for both dwellings. The quantum of private amenity space shall be in accordance with Table 11.20 of the County Development Plan as a minimum.
(d) The revised proposal shall include a cover letter outlining the rationale for the revised design changes.

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REG. REF. SD21A/0054

LOCATION: 67, Coolamber Park, Knocklyon, Dublin 16



Jim Johnston,
Senior Executive Planner

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

Dated: 21st July 2021



Eoin Burke, Senior Planner