

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1064/21

Reg. Reference: SD21A/0157 **Application Date:** 11-Jun-2021
Submission Type: New Application **Registration Date:** 11-Jun-2021

Correspondence Name and Address: James McInerney Planning Consultant 8, Rochford Park, Kill, Co. Kildare

Proposed Development: Construction of attached, two storey three bedroom house and all associated site works.

Location: 1, Broadfield Court, Broadfield Manor, Rathcoole, Co. Dublin

Applicant Name: Brendan & Sheila Quinn

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.0327 Hectares on the application.
Site Visit: 30th of June 2021

Site Description

The subject site is located on Broadfield Court within an existing housing estate in Rathcoole. The site consists of a two-storey, end of terrace dwelling with a pitched roof. The site adjoins an area of open space on the north-west side. The streetscape comprises of housing of a similar form and character.

Proposal

Permission is being sought for the construction of attached two storey, three bedroom house and all associated site works.

Zoning

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

Consultations

Water Services – no objection subject to conditions.
Irish Water – further information requested.
Roads Department – further information requested.
Parks & Landscape Services / Public Realm – no objections.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

SEA Sensitivity Screening – no overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject site

SD04B/0031

Two storey side extension. **Application withdrawn. Clarity was sought via Additional Information and Clarification of Additional Information in regard to site dimensions, site title(s) and compliance with the parent permission and amendment permissions.**

SD02A/0316

Change of house type and reduction by 3 dwellings to approved residential development.

Permission granted. Under this permission the number of dwellings in this terrace (Nos. 91 to 94) reduced from 4 no. to 3 no. Site 91 was removed and Site 92 now bordered the area of open space. The house type in this terrace also changed from House Type C to House Type H.

S00A/0781

Revision to site layout affecting roads 4 and 6 and Sites 91 to 98, relocation of houses on Sites 43 to 88 and 125 to 128, change of house type on Sites 129 to 132 and additional house on Site 129A to approved residential development. **Permission granted. The revisions to Site 91-98 were in relation to the front gardens and parking arrangement as affected by the repositioning of the section of Road 6 fronting said dwellings.**

S99A/0779

Residential development comprising 187 no. 2, 3 and 4 bedroom houses, inclusive of 7 no. bungalows on site no's 101-107 and ancillary works. **Permission granted.**

Adjacent and surrounding sites

S01A/0628

14 apartments and associated parking. **Outline permission refused.**

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

None recorded for subject site according to APAS.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

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

2 Housing

Section 2.3.0 Quality of Residential Development

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)

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

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

(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

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).

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

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Planning History and Site Ownership;
- Residential Amenity;
- Visual Amenity;
- Services and Drainage;
- Access and Parking;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The proposed development is consistent in principle with zoning objective 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.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Planning History and Site Ownership

The subject application involves an increase in the site area so as to extend onto the area of open space to the north-west. It is noted that the parent permission for the site and overall housing estate, Reg. Ref. S99A/0779, has the following condition:

“Condition No. 6 That the areas shown as open space be levelled, soiled and seeded and landscaped to the satisfaction of the County Council and to be available for use by residents on completion of their dwellings. REASON: In the interest of the proper planning and development of the area”.

The trade-off is the construction of a house with a loss of public open space. Whilst the area of open space to the north-west of the subject site is zoned zoning objective RES (Residential) ‘*To protect and/or improve residential amenity*’, it is considered that as the public open space to be lost would be minimal and would not significantly impact on the total amount of public open space, the proposed development would be acceptable in principle. This would also accord with condition 6 above. Furthermore, this is an opportunity to improve the surveillance of the public open space from first floor level side elevation of the proposed dwelling. This should not be seen as a precedent. If a larger area of public open space were to be lost to housing, then the Planning Authority would have serious concerns.

The applicant has stated that the site is owned by two different parties. They state that the southern part of the site (identified as Folio DN160605F on a submitted map) is registered to Meadowtree Construction Limited, from which a letter of consent is provided with the application. The applicant states that the northern part (outlined on the submitted Land Registry Compliant Map) is awaiting registration by The Property Registration Authority to the applicant. Further clarification is required around the ownership of the site. **The applicant should be requested to address this via Additional Information.**

Residential Amenity

Existing residential amenity

The proposed dwelling would directly adjoin the existing dwelling at No. 1 Broadfield Court at its gable end. The proposed dwelling would be two storeys in height with a single storey projection to the rear. The existing side boundary wall would be removed and replaced with a new 2.0m high block wall, which would be brick capped, rendered on the outside face and fair faced on the inside, in order to match the existing wall. **In the event of a grant of permission this should be conditioned to guarantee the boundary wall is an appropriate height and finish.** There would also be an approx. 1.8m high block wall constructed between rear gardens of the existing and proposed dwellings.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

With regard to the existing dwelling, the proposed dwelling would be level with its existing front building line. The proposed dwelling would also be the same height as the existing dwelling, approx. 8.0m in overall height, and have a pitched roof with a gable end. The rear projection would also have a pitched roof and would be approx. 3.4m in overall height. The house would be setback approx. 11.4m from the rear boundary, approx. 0.8m to 0.95m from the western side boundary, and approx. 5.12m from the front boundary. As noted in the Roads Department report below the setback from the front boundary does not leave sufficient room (6.0m) for an on-site car park as required by Council policy. **The applicant should be requested to address this via Additional Information.**

The single storey rear projection would extend past the rear building line of the existing dwelling by approx. 3.0m. This projection would be setback approx. 8.4m from the rear boundary, approx. 2.7m from the eastern side boundary and approx. 0.95m from the western side boundary. Due to the length, height, and setback of this element from the boundary shared with the existing dwelling, it is not considered that this would have a significant impact on the existing residential amenity of the adjoining dwelling.

The proposed dwelling would be similar in form and design to the existing dwelling at No. 1. The elevational treatments of the proposed dwelling would be similar, and the proposed materials of the dwelling would be concrete roof tiles, brick finish to the front elevation and render finish to the rear and side elevations to match the existing dwelling. This is considered to be acceptable and in compliance with Council policy.

Standard of proposed accommodation

The existing and proposed dwellings would meet the minimum space standards for houses, as per Table 11.20 of the CDP. The proposed dwelling would be approx. 108.41sq.m in size with a private amenity space of approx. 67.76sq.m. The rear amenity space remaining for existing dwelling would be approx. 62.52sq.m, which is sufficient and in compliance with the CDP requirements. The proposed dwelling includes 3 new bedrooms, which would all meet the minimum floorspace requirements of the CDP.

There appears to be an existing outbuilding on the site to the side of the existing dwelling. No detail has been provided on this structure and it is not shown on the site layout. If the structure is to be removed the applicant should state as such in their application. If it is to remain it needs to be accurately shown on the proposed drawings, including the site layout drawing, and the planning history for this clarified. **These details can be provided by way of Additional Information.**

The proposal would remove the gable end windows from the existing dwelling. The floor plans show rooflights would be installed in the existing and proposed dwellings to provide daylight and seemingly compensate for the loss of the gable end windows. However, the proposed rooflights are

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

not shown on the proposed elevations, section or on a roof plan. **The applicant should be requested to clarify this via Additional Information.**

Regarding storage, the minimum requirement for a two-storey dwelling of this size of 5sq.m. The applicant has stated that approx. 5.39sq.m of storage space would be provided, as shown on the floor plans. This would comply with the storage space requirements.

The applicant has also submitted a drawing showing that the proposed dwelling would be setback approx. 30.0m from the motorway (N7).

Visual Amenity

The area is characterised by two-storey terraced and semi-detached dwellings with pitched roofs. The proposed development would involve the construction of a two-storey end of terrace 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 building line and height,
- and the inclusion of dual frontage

The criteria are addressed as follows:

- With regard to the size of the site, the current side of the existing dwelling is approx. 5.3m in width, however, it is noted the actual subject site extends approx. 7.0m. The existing side boundary would be removed, and a new boundary wall built further north-west. A width of approx. 7.0m is noted as being quite narrow, however, a smaller scale dwelling is likely to be accommodated within this space. The site adjoins an area of open space to the side and will directly adjoin the gable end of the existing dwelling.
- The proposed dwelling has been designed to match the existing dwelling (and dwellings in the streetscape) in terms of form and character. The dwelling would align with the front building line of the existing dwelling and have a single storey projection past the rear building line. The proposed roof would conform with the roof of the existing dwelling.
- The architectural language of the proposed development is considered to respond to the existing character of the adjacent dwellings. The proposed side boundary would match the existing side boundary in terms of height and materials.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

- The proposed dwelling would align with the height and front building line of the existing dwelling. It would therefore read well with the existing dwelling and integrate with the adjoining buildings.
- The proposed dwelling would have a gable end that faces an area of open space. On the gable end it is proposed to include two windows, one at ground level in a bathroom and one at first floor level in the landing. **The applicant should be requested via Additional Information to include additional window(s) at first floor to habitable room(s) to improve passive surveillance onto the adjoining area of open space. The applicant should submit revised floor plans, elevations and sections demonstrating the location of any additional window(s).**

Services and Drainage

Water Services has reviewed the proposed development and has no objections subject to conditions:

Surface Water Report

1.1 Prior to commencement of development submit a report and drawing showing what SuDS (Sustainable Drainage Systems) are proposed for the development.

Examples of SuDS include rain gardens, permeable paving and other such SuDS.

1.2 Include water butts in proposed development as part of SuDS (Sustainable Drainage System).

Flood Risk

- *The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*
- *All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.*
- *All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

The report from Water Services is noted and will be conditioned as such in the event of a grant of permission.

Irish Water has reviewed the proposed development and request further information as follows:

1 Water

1.1 Obtain a letter of confirmation of feasibility from Irish Water regarding proposed development.

1.2 Submit a letter to clarify ownership of proposed and existing site in its entirety.

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

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

2 Foul

2.1 Submit a drawing to clearly show foul drain layout of proposed development up to and including the point of connection to the public foul sewer.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

2.2 *Submit a letter to clarify ownership of proposed and existing site in its entirety.*

2.3 *Submit a letter of confirmation of feasibility for proposed development from Irish Water.*

Submit a drawing showing the existing foul drain layout of site.

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

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

It is recommended that the applicant address these concerns by way of Additional Information.

Access and Parking

The Roads Department has reviewed the proposed development and requests further information: *The applicant intends to construct a two storey three-bedroom house, with two car parking spaces. It appears that there is insufficient space on the driveway, there should be a 6.0m distance between the front elevation and the front boundary.*

Roads department is not sure of the land ownership shown in the submission, there need to be more details submitted as the green spaces shown could be taking into SDCC's charge, Parks department consent and confirmation on the taking in charge of the green spaces are required.

Roads recommend that additional information be requested from the applicant:

1. *It appears that there is insufficient space on the driveway, there should be a 6.0m distance between the front elevation and the front boundary.*

2. *Roads department is not sure of the land ownership shown in the submission, there need to be more details submitted as the green spaces shown could be taking into SDCC's charge, Parks department consent and confirmation on the taking in charge of the green spaces are required.*

As the Roads Department has stated, a full 6m is required to park a car in the front curtilage. **The applicant should be requested to address this via Additional Information. This might involve further setting back the proposed dwelling from the front boundary. In doing so the applicant should be satisfied that sufficient rear amenity space is provided in order to comply with Council policy.**

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

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that **Additional Information** is required to ensure the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity, would meet infrastructural requirements, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

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

1. It appears that there is insufficient space on the driveway to provide for a car parking space. There should be a 6.0m distance between the front elevation and the front boundary to provide for this. The applicant is requested to submit a revised proposal that provides for a 6.0m distance between the front elevation of the proposed dwelling and the front boundary of the site. This might involve further setting back the proposed dwelling from the front boundary. In doing so the applicant should be satisfied that sufficient rear amenity space for the proposed dwelling can be provided in compliance with Council policy.
2. The applicant has stated that the site is owned by two different parties. They state that the southern part of the site (identified as Folio DN160605F on a submitted map) is registered to Meadowtree Construction Limited, from which a letter of consent is provided with the application. The applicant states that the northern part (outlined on the submitted Land Registry Compliant Map) is awaiting registration by The Property Registration Authority to the applicant. Further information is required in regard to the ownership of the site. The applicant is requested to submit additional information clarifying the current ownership status of the site, including timeframes for the described land transaction.
3. There appears to be an existing outbuilding to the side of the existing dwelling. No detail has been provided on this structure and it is not shown on the site layout. If the structure is to be removed the applicant should state as such in their application. If it is to remain it needs to be accurately shown on the proposed drawings, including the site layout drawing, and the planning history for this clarified.
4. The proposal would remove the gable end windows from the existing dwelling. The proposed floor plans show rooflights would be installed in the existing and proposed dwellings to provide daylight and seemingly compensate for the loss of the gable end

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

windows. However, the proposed rooflights are not shown on the proposed elevations, section or on a roof plan. If rooflights are proposed the applicant is requested to submit revised elevations, section(s) and a roof plan showing these.

5. The proposed dwelling would have a gable end that faces an area of open space. On the gable end it is proposed to include two windows, one at ground level in a bathroom and one at first floor level in the landing. The applicant is requested to include additional window(s) at first floor to habitable room(s) to improve passive surveillance onto the adjoining area of open space. The applicant should submit revised floor plans, elevations and sections demonstrating the location of any additional window(s).
6. The applicant is requested to submit additional information addressing the following items requested by Irish Water in regard to water supply:
 - 1.1 a letter of confirmation of feasibility from Irish Water regarding proposed development.
 - 1.2 a letter to clarify ownership of proposed and existing site in its entirety.
7. The applicant is requested to submit additional information addressing the following items requested by Irish Water in regard to foul water:
 - 2.1 a drawing to clearly show foul drain layout of proposed development up to and including the point of connection to the public foul sewer.
 - 2.2 a letter to clarify ownership of proposed and existing site in its entirety.
 - 2.3 a letter of confirmation of feasibility for proposed development from Irish Water.
 - 2.4 a drawing showing the existing foul drain layout of site.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0157

LOCATION: 1, Broadfield Court, Broadfield Manor, Rathcoole, Co. Dublin



Jim Johnston,
Senior Executive 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: 5th August 2021



Eoin Burke, Senior Planner