

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1173/21

Reg. Reference: SD21B/0383 **Application Date:** 07-Jul-2021
Submission Type: New Application **Registration Date:** 07-Jul-2021

Correspondence Name and Address: Carol Forbes, 4bes Design Services 38, Larkfield Avenue, Lucan, Co. Dublin

Proposed Development: Construction of single storey granny flat extension to the rear of existing dwelling comprising of living room, bedroom and bathroom.

Location: 9, Liffey Wood, Lucan, Co. Dublin

Applicant Name: Rhoda Campion

Application Type: Permission

(CM)

Description of Site and Surroundings

The site accommodates an end-of-terrace, two storey house and a rear garden building. The site sides onto Liffey Close. The house has a hipped roof and a single-storey side return. A porch to the front is located under a canopy roof which links with the side return.

The rear garden building is one-storey in height with a mono-pitched roof. It is accessed from the back garden and provided with windows and rooflights.

Site Area: 0.0339 Ha.

Proposal

The proposed development would comprise of:

Construction of single storey granny flat extension to the rear of existing dwelling comprising of living room, bedroom and bathroom.

Zoning

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

Consultations Received:

Environmental Services:

- Surface Water
- Flood Risk

Irish Water

Requests Additional Information.

No objection.

No objection, subject to conditions.

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Strategic Environmental Assessment Sensitivity

No overlap with relevant layers

Submissions/Observations/Representations

None.

Relevant Planning History

None on Subject Site

SD04B/0475 at 2 Liffey Rise – Permission **granted** for (a) conversion of existing garage to habitable room; (b) construction of single storey detached domestic garage to rear; (c) all associated site works.

SD21B/0186 at 1 Liffey Wood – Additional information requested on 24th May for application for Single storey extension to rear and side of existing dwelling.

Enforcement

None revealed in preliminary search.

Pre-Planning Consultation

None recorded or stated on Application Form.

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

Section 2.4.1 Residential Extension

Policy H18 Residential Extension

Policy H18 Objective 1:

“To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).”

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.2 (iii) Backland Development

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.3.3 (ii) Family Flat

‘A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of a dwelling). A family flat is not considered to represent an

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independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:

- The applicant shall be required to demonstrate that there is a genuine need for the family flat,
- The overall area of a family flat should not exceed 50% of the floor area of the main dwelling house,
- The family flat should be directly accessible from the main dwelling via an internal access door, and
- The design criteria for dwelling extensions will be applied.'

Section 11.7.2 Energy Performance in new Buildings

Section 11.8.0 Environmental Assessment

South Dublin County Council House Extension Design Guide, 2010

The House Extension design guide contains the following guidance on house extensions, including in particular rear and side extensions:

- Respect the appearance and character of the area;
- Provide comfortable internal space and useful outside space;
- Do not overlook, overshadow or have an overbearing impact on neighbouring properties;
- Conserve water and save energy where possible.

Overlooking, Overshadowing and Overbearing Impact

- Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1 metre from a side boundary per 3m of height should be achieved.
- Use light-coloured materials on elevations adjacent to neighbouring properties.
- Locate and design an extension so that it will not significantly increase the amount of shadow cast on the existing windows or doors to habitable rooms in neighbouring properties.
- Assess the impact of the shadow cast by extensions that are two-storey or higher on the daylight received by neighbouring properties.

For rear extensions:

- Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise;
- Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.
- Make sure enough rear garden is retained.
- Do not create a higher ridge level than the roof of the main house.
- The roofline of large extensions to the rear of single-storey bungalows should not be visible from public view to the front or to the side of the bungalow.

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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).

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

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Assessment

The main issues for assessment are

- zoning and Council policy;
- visual impact and residential amenity;
- access, transport and parking;
- water;
- appropriate assessment; and
- environmental impact assessment.

Zoning and Council Policy

The application seeks permission for provision of a single-storey 'granny flat' extension which would comprise a link down the southwestern boundary of the rear garden, to an extension situated across from the house on the northwestern boundary.

It is not stated in the notice as to whether or not the existing garden building would be incorporated into the new development. As the application form indicates no demolition, and no demolition drawings have been submitted, it is assumed that the existing structure is intended to be incorporated into the development. No drawings of the existing structure have been submitted. Footprint of detached rear garden structure is smaller than footprint of proposed family flat.

Residential development is in principle consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. Extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010.

Policy on Family Flats

The applicant has indicated that this is a 'granny flat' extension as per the planning notices. The extension is proposed to contain an office, living/kitchen/dining room, bathroom and a bedroom. The extension would be accessible either through the house via the kitchen/dining room, or via an external door into the rear garden (as the current garden building is accessed).

The application is assessed below on the criteria provided in section 11.3.3 (ii) of the South Dublin County Development Plan 2016 - 2022.

- The applicant shall be required to demonstrate that there is a genuine need for the family flat.

The applicant has submitted no supporting information.

- The overall area of a family flat should not exceed 50% of the floor area of the main dwelling house.

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The proposed flat at 58sq.m. would be slightly less than 50% of the floor area of the original house.

- The family flat should be directly accessible from the main dwelling via an internal access door, and

The flat is accessed internally and has an external access to the rear garden. The layout of the flat suggests that the external door will be the main access.

- The design criteria for dwelling extensions will be applied.

The development is assessed below on the basis of a residential extension.

Temporary Nature of Development

Family flats are by nature a temporary development, creating an arrangement whereby someone who is unable to live completely autonomously, has some level of privacy in their residence. South Dublin County Council applies, as standard, a condition that the flat be reintegrated with the main dwelling house if and when it is no longer needed as a family flat.

In this instance, the flat can be accessed separately from the main house. This is a situation the Planning Authority seeks to discourage as it risks the sub-division of the property in the future.

Visual Impact and Residential Amenity

The proposed extension would occupy the north and west perimeter areas of the rear garden. It would have a height of 3.3 metres and a flat roof, with cap/parapet height of 3.548m above ground. The existing rear garden building has a mono-pitched roof and it is unclear if this is to be removed.

The linking element along the southwestern side of the garden would be approx. 2.7m in width, i.e. the minimum width of a double bedroom. This link would contain an office accessible from both the main house's kitchen and the living/kitchen/dining room of the flat. A kitchen/living/dining room would occupy the corner of the extension. The rear part of the extension – and the site of the existing garden building – would have an external access door and circulation area with access to a bedroom, bathroom, and the kitchen/living/dining room.

The layout in combination with the height of the extension is not appropriate for this site. In particular, the height and proximity to the neighbouring house, No. 7, is inappropriate. The South Dublin County Council House Extension Design Guide, 2010 provides for separation distances of 1 metre for every 3 metres in height, and recommends to match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise and it would be appropriate to follow that guide here, especially given the narrowness of the adjoining plot (No.7)

It is considered that the layout would provide an overbearing impact to No. 7 and would be out of character with the established pattern of development in the area. It is further considered that the

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external access to the proposed flat creates a risk of unauthorised sub-division of the dwelling in the future. The development would also create a precedent for such development with the associated risks to residential character and sub-division of residential plots. Combining this precedent with the detrimental visual impact on No.7, it is considered that the development would be seriously injurious to the residential amenities and the character of the area, and through the precedent it would create could create a burden for local services and infrastructure not accounted for in the current zoning objective.

An alternative proposal for a flat should include the necessary information under section 11.3.3 (ii) of the County Development Plan and should show how the flat can be reintegrated into the house as a single dwelling at the end of its use as a family flat. The proposed access arrangements should be altered such that primary access is through the main house, and the layout should avoid impacting on No. 7. It may be possible to achieve this on a corner site of this size, and the applicant should be requested to provide revised plans by way of **additional information**.

Access, Transport and Parking

As per the South Dublin County Development Plan 2016 - 2022, family flats are not considered separately with regards to car parking and amenities.

Water

The Environmental Services Department has sought additional information in relation to a 225mm foul sewer in the public road to the northeast of the development, and the potential separation distance from the same. This would constitute a reasonable basis for a request for additional information if not for the other issues with the development.

Irish Water has stated no objection, subject to conditions.

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.

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.

Conclusion

Having regard to the planning notices and description of development submitted with the application, and having regard also to the context of the site, and the following material concerns:

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- the 'RES' land-use zoning objective and the need to protect and/or improve residential amenity;
- the detrimental visual impact of the link to the rear extension on No.7;
- the physical link across the site, which contradicts the residential character of the area and would fundamentally alter the form and layout of the site;the lack of information regarding the proposal for a family flat under section 11.3.3 (ii) of the South Dublin County Development Plan 2016 – 2022;
- the proposed access arrangements and potential for sub-division of the property;

it is considered that the proposed development would be inappropriate in terms of layout and access arrangements and would be contrary to the 'RES' zoning objective in its current form.

An alternative proposal for a flat should include the necessary information under section 11.3.3 (ii) of the County Development Plan and should show how the flat can be reintegrated into the house as a single dwelling at the end of its use as a family flat. The proposed access arrangements should be altered such that primary access is through the main house, and the layout should avoid impacting on No. 7. It may be possible to achieve this on a corner site of this size, and the applicant should be requested to provide revised plans by way of **additional information**.

Recommendation

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

1. The applicant is requested to provide the following information as required by section 11.3.3 (ii) of the South Dublin County Development Plan 2016 - 2022:
 - demonstrate that there is a genuine need for the family flat and indicate who the family flat is for and the relationship to the applicant.
2. It is considered that the layout would create an overbearing impact to No. 7 and would be out of character with the established pattern of development in the area. It is further considered that the external access to the proposed flat creates a risk of unauthorised sub-division of the dwelling in the future, and would if granted in its present form provide a precedent for similar development in the area.

The applicant is requested to provide revised plans with the following changes:

 - access to the flat should be through the main house;
 - the linking element along the full length of the southwestern perimeter of the garden is inappropriate due to its potential impact on No. 7. The flat should be reconfigured either to provide a traditional extension or to reposition the extensions to the northeastern boundary of the site.

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REG. REF. SD21B/0383

LOCATION: 9, Liffey Wood, Lucan, Co. Dublin

jjohnston

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:

31/8/21



Eoin Burke, Senior Planner