

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1223/21

Reg. Reference: SD21A/0201 **Application Date:** 20-Jul-2021
Submission Type: New Application **Registration Date:** 20-Jul-2021
Correspondence Name and Address: Desmond J. Halpin 15, Carriglea Drive, Firhouse, Dublin 24
Proposed Development: Retention of original garage converted into a hair dressing salon; internal alterations and part front elevation.
Location: 17, Killakee Court, Dublin 24
Applicant Name: Liam & Valerie Staunton
Application Type: Retention

(CS)

Description of Site and Surroundings

Site Description

No. 17 Killakee Court is a two storey, semi-detached residential dwelling with a single storey element (garage conversion) to the side and is located towards the end of a cul-de-sac. The area is mainly characterised by other semi-detached dwellings.

Site Area: Stated as 272.8Sq.m.

Proposal

- The applicant seeks retention permission for change of use of the original garage that is now converted into a hair dressing salon.
- Retention includes for alterations to front elevation whereby garage door to front has been replaced by direct access door to hair dressing salon.
- Area for retention measures c.18.05sq.m.

The applicant states in their cover letter submitted that they have been carrying out hair dressing services from the property for private clients by appointment only and that only one client is taken at a time.

The applicant states that they work three days a week only where hours of business are between 10.00am to 12.00 noon & 2.00pm to 4.00pm weekdays. The majority of clients are from the local area.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Zoning

The site is subject to land-use zoning objective – ‘RES’ – ‘To protect and/or improve residential amenity.’

Consultations

H.S.E. Environmental Health Officer – No report received.

Irish Water – No objection, subject to **conditions**.

Surface Water Drainage – No objection, subject to **conditions**.

Roads – No objection.

SEA Sensitivity Screening

No overlap indicated with the relevant environmental layers.

Submissions/Observations/Representations

None received.

Relevant Planning History

None traced to subject site.

Adjacent sites.

SD12A/0191: 15, Killakee Court, Dublin 24.

Proposed ground floor partial front extension with pitched roof over; proposed change of use of area of ground floor of dwelling to beautician use, floor area 19.4sq.m.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None traced.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Development Plan 2016 – 2022

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.23: Maximum Parking Rates (Non-Residential)

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Section 11.3.0 Land Uses

Section 11.3.10 Home Based Economic Activity

'The Planning Authority will assess the suitability of the residential site to accommodate the proposed home based economic activity having regard to the size and scale of the site and dwelling, the prevailing density of the area, the availability of adequate safe car parking and the general compatibility of the nature of the use with the site context.'

Section 4.4.0 Home Working

Small scale home based economic activity offers flexibility to self employed persons and employees. This can contribute to a decrease in the demand for travel and reduce the costs associated with starting a business. Small scale home based economic activities that do not have a negative impact on the amenities of an area are generally supported.

ECONOMIC AND TOURISM (ET) Policy 4 Home-Based Economic Activities

It is the policy of the Council to support small scale home-based economic activities at appropriate locations.

ET4 Objective 1:

To support and facilitate home-based economic activity that is subordinate to the main residential use of a dwelling and where, by virtue of their nature and scale, they can be accommodated without adversely impacting on the amenities of the area.

ET4 Objective 2:

To support and encourage the provision of ground floor live-work units as part of mixed use and residential developments in appropriate locations, as a means of enlivening streets and to provide flexible accommodation for small businesses. Standards and criteria for Home Based Economic Activities are detailed under Section 11.3 of this Plan.

Relevant Government Guidelines

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

Assessment

The main issues for assessment are

- Zoning and Council policy;
- Residential & Visual Amenity;
- Services and Drainage;
- Access and Parking;
- Environmental Health;
- Screening for Environmental Impact Assessment (EIAR);
- Screening for Appropriate Assessment (AA).

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Zoning and Council Policy

The proposed site is subject to zoning objective, 'RES' – 'To protect and/or improve residential amenity'. A hair dressing salon is Open for Consideration based on the 'RES' zoning objective for the area.

The application for retention is considered acceptable in principle subject to detailed assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in the County Development Plan including *Section 11.3.10 Home Based Economic Activity* of the SDCC Development Plan 2016-2022 which is set out below and states the following:

Development proposals for small scale home based economic activities will be considered where the applicant is the resident of the house and can demonstrate that the proposed activity is subordinate to the main residential use of the dwelling. Proposals that adversely impact on the existing residential amenity of the area by way of increased traffic, noise, fumes, vibration, smoke, dust or odour will not generally be favourably considered

The Planning Authority will assess the suitability of the residential site to accommodate the proposed home based economic activity having regard to the size and scale of the site and dwelling, the prevailing density of the area, the availability of adequate safe car parking and the general compatibility of the nature of the use with the site context.

Home-based economic activity will generally be permitted on a short-term or temporary basis to enable an ongoing assessment of any impact of the activity on residential amenity.

The hair dressing salon (18.05sq.m) seeking retention is based in the original garage of the existing dwelling. The internal floor area of the dwelling including the hair salon is stated as c.155.36sq.m. The use of the hair dressing salon is considered to be subordinate to the main residential use of the residential dwelling by virtue of nature and scale. The original garage door has been replaced with an additional front entrance door which provides direct access to the hair dressing salon. The application for retention is not considered to have a significant adverse impact on residential and visual amenity.

Services and Drainage

Both Irish Water & Surface Water Drainage have no objection, subject to **conditions**. An extract taken from the Irish Water report states the following:

Irish Water requests that any grant of permission will be **conditioned** as follows:

- 1. The applicant shall sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.*
- 2. All development shall be carried out in compliance with Irish Water Standards codes and practices.*

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

. Any proposals by the applicant to divert or build over existing water or wastewater services shall be submitted to Irish Water for written approval prior to works commencing.

4. Separation distances between the existing Irish Water assets and proposed structures, other services, trees, etc. have to be in accordance with the Irish Water Codes of Practice and Standard Details

Reason: To ensure adequate provision of water and wastewater facilities.

It is considered appropriate to attach the above **conditions** in the event of a grant.

An extract taken from the Surface Water Drainage report states the following:

*Surface Water Report: No objection subject to:
Flood Risk No Objection Subject To:*

The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

It is considered appropriate to attach the above **conditions** in the event of a grant.

Access and Parking

The Roads Department has submitted a report expressing no objection and requesting no condition in the event of a grant of permission. The report indicates that the Roads Department does not consider the application for retention for the partial change of use for the hair dressing salon to have any impact on the parking provision in the area. Notwithstanding the report from the Roads Section, it is deemed appropriate to request **additional information** on the car parking arrangements and if this would have an impact on traffic and parking.

Environmental Health

No report was received from the Environmental Health Officer in this instance. However, it is deemed appropriate to request **additional information** on the arrangements in place for any extractor fans and air ventilation systems and if this would have an impact on residential and visual amenity.

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.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

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 Issues

Development Contributions

- The application for retention relates to a partial change of use and retention for original garage conversion to hair dressing salon.
- Assessable area is 18.05sq.m for change of use.

Strategic Environmental Assessment Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Hair salon	18.05
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.02728

Conclusion

While there is no objection in principle with application for retention, it is deemed appropriate to request additional information in order to make an assessment of the impact of the proposed development on the residential amenities of the residential area, in accordance with Development Plan policy.

- Access & Parking
- Environmental Health

Recommendation

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

1. The applicant is requested to submit details and information which may include drawings on any arrangements in place for extractor fans/air ventilation systems.
2. The applicant is requested to submit information on the car parking arrangements and location for clients attending the hair salon.
3. (a) In relation to Section 11.3.10 of the Development Plan, the applicant is requested to demonstrate and confirm that the salon operator is a resident of the house.
(b) Section 11.3.10 of the Development Plan outlines that 'Home-based economic activity

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

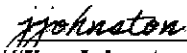
will generally be permitted on a short-term or temporary basis to enable an ongoing assessment of any impact of the activity on residential amenity.' The applicant is requested to outline the full history of the ongoing use for retention and provide a rationale for an appropriate future term of operation.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0201

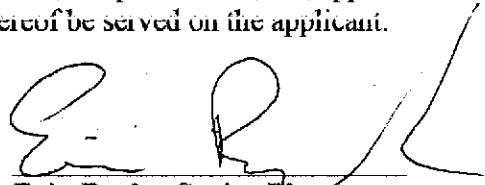
LOCATION: 17, Killakee Court, Dublin 24



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: 13/9/21



Eoin Burke, Senior Planner