

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1412/21

Reg. Reference: SD21A/0255 **Application Date:** 14-Sep-2021
Submission Type: New Application **Registration Date:** 14-Sep-2021

Correspondence Name and Address: Loretta Kennedy 19, Greenville Terrace, Dublin 8.
Proposed Development: Construction of 2 three storey dwellings and associated ancillary site works.

Location: Hawthorns, Killakee Lawns, Firhouse, Dublin 24
Applicant Name: Teresa & Sean Butler
Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: Stated as 0.180 hectares.

Site Description:

The site is located on Killakee Lawns, in the rear garden of a detached bungalow ('Hawthorns'), which fronts onto Firhouse Road but is accessed from Killakee Lawns. The surrounding area is predominantly residential in nature with several other sites that have constructed backland/rear garden dwellings.

Site visited

28 October 2021

Proposal:

Permission is sought for the following:

- Construction of **two houses** (three storey, 3-bedroom detached)
- Parking for 2 vehicles.
- Access via existing access from Killakee Lawns

Zoning:

The site is zoned objective RES – *'To protect and/or improve Residential Amenity.'*

Consultations:

Surface Water Drainage – Further information recommended

Irish Water – Further information recommended

Roads Department – No objection, conditions recommended

Parks – Further information recommended

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Submissions/Observations /Representations:

Submission expiry date – 18/10/2021

No submissions or objections received.

Relevant Planning History

None for subject site.

Adjacent sites

SD21A/0249: Construction of 4-bedroom dormer bungalow and associated landscaping, services and car parking for 2 vehicles. **Final decision outstanding, additional information requested.**

SD21B/0487: New vehicular entrance, dishing and alterations to gated entrance. **Decision outstanding, due no later than 8 November 2021.**

SD03A/0033: Two semi-detached 2-storey dwellings with off street parking located to the rear of 8 Firhouse Road and accessed from Kilakee Green. **Permission granted.**

Relevant Enforcement History:

None recorded.

Pre-Planning Consultation:

None recorded

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

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

Policy H17 Residential Consolidation

Policy H17 Objective 2:

To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

Policy H17 Objective 5:

To ensure that new development in established areas does not impact negatively on the amenities or character of an area.

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

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<i>Type of Unit</i>	<i>Houses</i>	<i>Private Open Space</i>
<i>One Bedroom</i>	<i>50sq.m</i>	<i>48sq.m</i>
<i>Two Bedroom</i>	<i>80sq.m</i>	<i>55sq.m</i>
<i>Three Bedroom</i>	<i>92sq.m</i>	<i>60sq.m</i>
<i>Four Bedroom or more</i>	<i>110sq.m</i>	<i>70sq.m</i>

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 11.3.2 (i) Infill Sites

Development on Infill sites should meet the following criteria:

- Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.*
- A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.*
- Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.*
- Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).*

Section 11.3.2 (iii) Backland Development

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 the 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.*

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Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

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 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

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Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

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.

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

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, (2008).

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).

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment, (1991).

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Assessment

The main issues for assessment relate to the following items:

- Zoning and Council policy,
- Residential and Visual Amenity,
- Public Realm,
- Services and Drainage,
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIAR).

Zoning and Council Policy

The site is zoned objective RES – *'To protect and/or improve Residential Amenity.'* Residential development, including the construction of a house, is 'Permitted in Principle' under this zoning objective.

Residential and Visual Amenity

The proposed development comprises two, 3-storey, three-bedroom detached houses and would represent infill garden development within an established residential area. From the front the houses would appear two-storey, with dormers provided to the rear to facilitate the third storey master bedrooms.

The development would involve the construction of two detached dwellings approximately 9m in height. Access is provided via the existing entrance on Killakee Lawns which also serves, and will continue to serve, the existing dwelling at the north west of the site. 'House 1' appears to be built up to the western boundary of the site while 'House 2' is located a minimum of 4.857m from the site boundary to the north.

The proposed units are located approximately 22m from the rear of the existing bungalow on the site and this is considered to be acceptable. Each unit is provided with rear garden access to facilitate the storage of bins and movement of other large items. It is noted that there are discrepancies on the site location plan, site layout plans and ground floor plan regarding the location of the rear access to 'House 2'. This can be addressed by way of **additional information**.

There is a two-storey house located to the south west of the dwellings, within 11m of 'House 1'. The units are setback from the front building line of this property. A contiguous elevation has not been provided and should be requested as **additional information**, in order to assess the impact of the proposed dwellings on the streetscape.

The existing access serving 'Hawthorns' is proposed to serve all 3 dwellings. It is noted from drawings and a site visit that access onto Killakee Lawns is already shared by the existing dwelling north of the site, 'Hawthorns', and the dwelling on the adjacent site to the south west, 'Killinenny Bungalow'. To ensure this access remains safe, a **condition** should be attached to any grant of permission restricting the height of entrance pillars or vegetation at the primary shared site entrance. It is noted from drawings that a new entrance gateway is proposed to serve Hawthorns at the

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northern site boundary. This is considered acceptable to ensure the security of the existing property at the site.

It is considered that the scale and design of the proposed dwellings is in keeping with the character of the area. Separation distances between existing and proposed units in the area are considered acceptable and there are no concerns regarding privacy or overlooking. To address inconsistencies in the site layout plans and assess the full impact of the development on the streetscape, **additional information** is required.

Accommodation Standards

The proposed development comprises 2 three storey, three bedroom (5 person) detached properties. The guidance on internal accommodation within dwellings is detailed in *Quality Housing for Sustainable Communities: Best Practice Guidelines* (2007). As per the 2007 Guidelines, the target gross floor area for 3 bedroom, 5 person, three storey dwelling is 102sq.m. The submitted Housing Quality Assessment states that 'House 1' is 134.7sq.m and 'House 2' is 134.1sq.m. This is considered acceptable.

As per the 2007 Guidelines, a minimum of 5sq.m of internal storage should be provided. Both units provide 4.6sq.m, excluding the utility/store areas. This is considered acceptable in this instance as the utility rooms would provide some additional storage, though it is inappropriate to count them in the overall storage total as they are not for use singularly as storage.

All bedrooms comply with the standards contained within the 2007 Guidelines, and the minimum aggregate living areas are exceeded for both units.

The minimum open space requirements for a three-bedroom house is 60sq.m. Each unit has approximately 60sq.m of private amenity space to the rear and this is considered acceptable. Given the constrained nature of the sites, it is considered appropriate that a **condition** be attached to any grant of permission restricting the exempted development rights of the units, preventing further rear extensions or the construction of large rear garden structures. This is to protect the quantum of private open space provided for each unit.

As per the above, the units meet and exceed relevant standards and are considered to provide adequate residential accommodation.

Roads

The Roads Department has reviewed the application and has no objection subject to **conditions** relating to driveway width, boundary walls and access/egress arrangements being attached. An extract of the report states:

1. *The vehicular access points shall be limited to a width of 3.5 to 4.2 meters. If providing*
2. *The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve*

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- forward visibility for vehicles.*
3. *All vehicles parked in the driveways must turn within the site and exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*
 4. *The applicant shall submit a revised layout showing 6.0m reversing space behind perpendicular car parking spaces.*

These conditions are considered reasonable and should be attached to any grant of permission or could be requested as **additional information** in the event that other items are being sought.

Public Realm

The Public Realm Section has reviewed the application and recommended **conditions** and **additional information**, in the event of a grant. An extract from the report states:

Protection of Existing Street Tree

In order to ensure the protection of the existing street tree in adjacent grass margin, suitable tree protection fencing must be erected prior to all construction operations occurring on site. This tree protection fencing must be in accordance with BS 5837: 2012.

Landscape Plan

A landscape scheme shall be provided which helps to integrate the development into the local landscape and through suitable boundary planting provides visual screening, mitigation of negative visual effects and which improves local biodiversity and green infrastructure links.

This report has been considered in the assessment of the proposed dwellings.

Services and Drainage

Surface Water Drainage has stated that **additional information** is required in relation to soil percolation tests and revised drawings, in plan and cross-sectional view are required in relation to the proposed soakaways. An extract from the report states:

- (1) *There are no soil percolation test results submitted for the proposed soakaways. The applicant is required 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.*
- (2) *The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaways based on site specific soil percolation tests. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*
 - (a) *At least 5m from any building, public sewer, road boundary or structure.*
 - (b) *Generally, not within 3m of the boundary of the adjoining property.*
 - (c) *Not in such a position that the ground below foundations is likely to be adversely affected.*

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- (d) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- (3) The applicant is requested to investigate the potential to include an overflow connection from the proposed soakaways to the public surface water network.*

Irish Water have reviewed the application and requested additional information. An extract from their report states:

1. Water

- a. In order to assess the feasibility of a connection to public water infrastructure further information is requested as follows:
The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water/waste water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.*

2. Foul

- a. The applicant is required to submit a revised wastewater drainage layout for the proposed development which shows an individual wastewater connection from each dwelling to the public wastewater network.*
- b. In order to assess the feasibility of a connection to public wastewater infrastructure further information is requested as follows;*
- i. The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public waste water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.*

Further information should be sought on the above issues.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 sites, it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

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.

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SEA Monitoring Information

SEA Monitoring Information	
Building Use Type Proposed	2 houses
Floor Area (sq.m)	268.8sq.m
Land Type	Brownfield
Site Area	0.180

Conclusion

Request additional information in relation to the following:

- Revised drawings showing rear access arrangements for House 2 consistently across all site layouts and floor plans.
- Contiguous elevations of the 2 houses and their surrounding context. Elevation must extend up to and including 49a Killakee Lawns to allow for a full assessment of the houses and their context.
- A revised site layout plan showing 6 m reversing space for all parking spaces and a reduced width of the vehicular access.
- A landscape scheme should be provided which helps to integrate the development into the local landscape and through suitable boundary planting provides visual screening, mitigation of negative visual effects and which improves local biodiversity and green infrastructure links.
- 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.
- The applicant is requested to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaways based on site specific soil percolation tests.
- The applicant is requested to investigate the potential to include an overflow connection from the proposed soakaways to the public surface water network.
- The applicant is requested to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water/wastewater infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as additional information.
- The applicant is requested to submit a revised wastewater drainage layout for the proposed development which shows an individual wastewater connection from each dwelling to the public wastewater network.

Recommendation

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

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1. The drawings submitted are inconsistent in relation to the rear access to House 2. The Site Location Map and Site Layout Plan show a different arrangement to that shown on the Site Layout and Proposed Ground Floor Plan. The applicant is requested to submit revised drawings confirming the proposed access arrangement.
2. The applicant is requested to submit existing and proposed contiguous street elevations of the site and including at a minimum 49a Killakee Lawns, to allow for a full assessment of the impact of the units on the streetscape.
3. The applicant is requested to submit a revised site layout plan detail as follows:
 - (a) The vehicular access points shall be limited to a width of 3.5 to 4.2 meters.
 - (b) The applicant shall submit a revised layout showing 6.0m reversing space behind perpendicular car parking spaces.
4. The applicant is requested to submit a comprehensive scheme of landscaping which includes boundary planting. The landscape scheme shall help to integrate the development into the local landscape and through suitable boundary planting provides visual screening, mitigation of negative visual effects and which improves local biodiversity and green infrastructure links.
5. There are no soil percolation test results submitted for the proposed soakaways. 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.
6. The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaways based on site specific soil percolation tests. 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.
7. The applicant is requested to investigate the potential to include an overflow connection from the proposed soakaways to the public surface water network.
8. In order to assess the feasibility of a connection to public water infrastructure further information is requested as follows:

The applicant is requested to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water/waste water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

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9. In order to assess the feasibility of a connection to public wastewater infrastructure further information is requested as follows;
The applicant is requested to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public waste water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.
10. The applicant is requested to submit a revised wastewater drainage layout for the proposed development which shows an individual wastewater connection from each dwelling to the public wastewater network.

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REG. REF. SD21A/0255


LOCATION: Hawthorns, Killakee Lawns, Firhouse, 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: 2/11/21



Eoin Burke, Senior Planner