

# Comhairle Chontae Atha Cliath Theas

**PR/0068/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD21A/0316      **Application Date:** 18-Nov-2021  
**Submission Type:** New Application      **Registration Date:** 18-Nov-2021

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

**Proposed Development:** Change of use of existing 2 storey terraced mixed use building; comprising of change of use of the existing ground floor commercial unit to provide a 2 bedroom apartment.

**Location:** 18, Mountdown Road, Manor Estate, Dublin 12

**Applicant Name:** Charlie Murray

**Application Type:** Permission

(COS)

### **Description of Site and Surroundings**

Site Area: stated as 0.024607 Hectares on the application.  
Site Visit: 15<sup>th</sup> of December 2021

### **Site Description**

The subject site is located on Mountdown Road within a terrace of two storey buildings in commercial and residential use. The site is the ground floor unit at No. 18 and was previously used as a creche. The adjoining building (No. 16) currently has a salon at the ground floor and the other adjoining building (Nos. 20) is in residential use. There is a laneway to the north of No. 16, between Mountdown Road and Limekiln Close. The rear external area behind the subject site, and this terrace of buildings, can also be accessed off Limekiln Close.

### **Proposal**

Permission is being sought for a change of use of existing 2 storey, terraced mixed use building; comprising of change of use of the existing ground floor commercial unit to provide a 2 bedroom apartment.

### **Zoning**

The subject site is subject to zoning objective 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2016-2022.

# Comhairle Chontae Atha Cliath Theas

PR/0068/22

## Record of Executive Business and Chief Executive's Order

### Consultations

Water Services – no objections subject to conditions.

Irish Water – no objections subject to conditions.

Roads Department – request further information.

Public Realm Section – no report received.

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

### Submissions/Observations /Representations

None received.

### Relevant Planning History

*Subject site*

S99A/0180

Conversion of shop to creche. **Permission granted.**

*Adjacent site: Nos. 16 and 16B Mountdown Road*

S99A/0565

Change of use from commercial to office on the ground floor and a single storey flat roof extension to the rear and off street car parking in the rear yard. **Permission refused.**

SD11A/0228

Change of use of ground floor end of terrace commercial unit (vacant at present) to a beauty clinic.

**Permission granted.**

SD19A/0275

Change of use and alteration/extension of the existing two storey semi-detached mixed use building, comprising of partial demolition of the existing single storey rear extension; construction of a new single storey rear extension and change of use of the existing ground floor commercial use to provide a 2 bedroom apartment and a 1 bedroom apartment at ground floor level; extension of the existing 2 bedroom first floor apartment with new balcony and attic storage with rooflights; relocation of rear access gate on Limekiln Close and associated site development. **Permission granted.**

SD19A/0142

Change of use and alteration/extension of two storey, semi-detached mixed-use building comprising of partial demolition of single storey rear extension; change of use from commercial to 2 bedroom apartment at ground floor level; attic conversion to storage room with 3 rooflights; internal

# Comhairle Chontae Atha Cliath Theas

**PR/0068/22**

## **Record of Executive Business and Chief Executive's Order**

alterations to building; construction of a single storey dwelling with entrance onto the laneway between Mountdown Road and Limekiln Close; relocation of rear access gate on Limekiln Close; associated site development. **Permission refused because the proposal would result in overdevelopment of a restricted back garden site which would provide inadequate residential amenity for current and future occupants and would set an undesirable precedent.**

*Adjacent site: No. 20 Mountdown Road*  
SD20A/0077

Ground floor change of use into 1 bedroom apartment with existing detached garage to be shared with the existing first floor apartment and existing vehicular access to rear from Limekiln Close; works include modifications to the front and rear facades and other necessary modifications for the change of use. **Permission granted.**

SD18A/0284  
New shop front and signage. **Permission granted.**

SD13A/0070  
Extension to rear of ground floor unit (45sq.m); change of use of said unit from creche to hair dressing salon; new shop front and signage over. **Permission granted.**

SD11A/0274  
Retention of crèche/day nursery/day centre at ground floor. **Permission for retention granted.**

S00A/0805  
Change of use of first floor flat to offices. **Permission refused due to size of office in RES zoning.**

S00A/0526  
Change of use of shop to offices. **Permission granted.**

### **Relevant Enforcement History**

Enforcement Ref. S1432 Work in progress before decision is made. Pre APAS.

### **Pre-Planning Consultation**

None recorded for subject site according to APAS.

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

*2 Housing*

*Policy H10 Mix of Dwelling Types*

# Comhairle Chontae Atha Cliath Theas

**PR/0068/22**

## **Record of Executive Business and Chief Executive's Order**

*It is the policy of the Council to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the County in accordance with the provisions of the Interim South Dublin County Council Housing Strategy 2016-2022.*

*H10 Objective 1:*

*To ensure that new residential developments provide for a wide variety of housing types, sizes and tenures in line with the Interim South Dublin County Council Housing Strategy 2016-2022.*

*Policy H11 Residential Design and Layout*

*Policy H12 Public Open Space*

*Policy H13 Private and Semi-Private Open Space*

*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.*

*H14 Objective 1:*

*To ensure that all residential units and residential buildings are designed in accordance with the relevant quantitative standards, qualitative standards and recommendations contained in Sustainable Urban Housing: Design Standards for New Apartments (2015), the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the companion Urban Design Manual and have regard to the standards and targets contained in Quality Housing for Sustainable Communities (2007), particularly the standards and recommendations that relate to internal amenity/layout, overall unit size, internal room sizes, room dimensions, aspect, sound insulation, communal facilities, storage, sustainability and energy efficiency.*

*Policy H15 Privacy and Security*

*Policy H17 Residential Consolidation*

*H17 Objective 1: To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.*

*H17 Objective 5: To ensure that new development in established areas does not impact negatively on the amenities or character of an area.*

*7 Infrastructure & Environmental Quality*

*Policy IE1 Water & Wastewater*

*Policy IE2 Surface Water & Groundwater*

# Comhairle Chontae Atha Cliath Theas

**PR/0068/22**

## **Record of Executive Business and Chief Executive's Order**

*Policy IE7 Environmental Quality*

*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 (iv) Dwelling Sub-Division and Upper Floors*

*Dwelling sub-division and 'over the shop' accommodation should accord with the relevant guidelines and standards contained in this Development Plan relating to apartments and contribute positively to the established character and amenities of the area. The design of 'over the shop' housing should include mitigation measures to address possible sources of external noise. A separate, distinctive point of entry with an identifiable address should also be provided. Dwelling sub-divisions should preserve the established character and amenities of the area.*

*At the discretion of the Planning Authority and subject to appropriate safeguards to protect residential amenity, reduced internal space, open space and car parking standards may be considered in exceptional circumstances for dwelling subdivisions or 'over the shop' accommodation, subject to compensating amenity features that maintain the residential amenities of the development and/or the area.*

*Section 11.4.1 Bicycle Parking Standards*

*Section 11.4.2 Car Parking Standards*

*Table 11.24 Maximum Parking Rates (Residential Development)*

*Section 11.6.0 Infrastructure and Environmental Quality*

*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).*
- *Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional Spatial and Economic Strategy 2019 – 2031.*

# Comhairle Chontae Atha Cliath Theas

**PR/0068/22**

## **Record of Executive Business and Chief Executive's Order**

- *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).*
- *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).*
- *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment, (1991).*

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Services and Drainage;
- Traffic 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'*. Under this zoning objective 'Residential' use is Permitted in Principle. This is subject to the compliance with the relevant plans and policies of the South Dublin County Development Plan 2016 – 2022 (County Development Plan) and the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020) (Apartment Guidelines).

### ***Visual and Residential Amenity***

#### **Existing residential amenity**

The unit currently has permission for use as a creche, although it is currently not in use. The external changes to the building are limited to the door and window on the rear elevation. It is therefore considered that the proposed development would not have a significant impact on existing residential amenity.

# Comhairle Chontae Atha Cliath Theas

PR/0068/22

## Record of Executive Business and Chief Executive's Order

It is noted that the adjoining buildings (Nos. 16 and 20) have been permitted change of use to residential apartments at the ground and first floors.

The applicant refers to the entire property (ground and first floor) in the public notice yet has only submitted plans of the ground floor. It is not clear what the first floor is used for – this needs to be ascertained to ensure that amenity of a residential ground floor unit is not adversely impacted.

**Further information** should be sought on this issue.

### Standard of accommodation

The proposed development would provide for a two bedroom ground floor residential unit. The residential unit would be approx. 79.61sq.m in size. The unit and bedrooms would meet the minimum area requirements under the County Development Plan.

In terms of internal areas, the Planning Authority has concerns regarding the available natural light to the proposed living room and bathroom. There are no windows proposed to these areas. Windows to habitable rooms along the front elevation are also not desirable in terms of privacy. No internal storage has been provided for. The County Development Plan requires a minimum of 6sq.m of storage in this instance. The design and layout of the apartment should be revisited to address these concerns and provide an acceptable standard of accommodation. There is also no information on external bin store, which should be provided.

The site plan indicates that there is an 85.81sq.m rear garden. This area was covered in hard surfacing at the time of the site visit. There are structures in this area which do not appear to have been accurately sized on the site plan and therefore accurately excluded from the open space calculation. However, it is considered, if accurately calculated, the remaining space would still meet the minimum private open space requirements. No communal nor public open space is indicated; however, given the nature of the development and proximity to public open space on Mountdown Road, flexibility can be applied.

The proposed development should be revised to provide for privacy measures along the front elevation, natural light to all habitable rooms, internal storage, and external bin storage. **This should be requested via additional information.** The applicant should also be requested to submit a proposed cross-sectional drawing of the development demonstrating the floor to ceiling height.

### Visual amenity

There are limited external alterations to the building (all to the rear) and so the proposal is considered to be visually acceptable.

# Comhairle Chontae Atha Cliath Theas

PR/0068/22

## Record of Executive Business and Chief Executive's Order

### *Services and Drainage*

Water Services and Irish Water have reviewed the proposed development and have no objections subject to standard conditions.

### *Traffic and Parking*

The Roads Department has reviewed the proposed development and requests further information:

*No details on vehicle parking has been provided. The change of use would require car parking provision.*

*Roads recommend that additional information be requested from the applicant:*

1. *The applicant is requested to submit a revised layout of not less than 1:200 scale showing details on location and number of parking spaces to be provided at the development. Please refer to Table 11.23: Maximum Parking Rates (Residential) – from the SDCC County Development Plan 2016-2022.*

The report from the Roads Department is noted and these items should be requested **via additional information**. Information regarding bicycle parking should also be provided, with reference to the County Development Plan and Apartment Guidelines.

### *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 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 scale, design and standard 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 provide for an acceptable standard of



# Comhairle Chontae Atha Cliath Theas

**PR/0068/22**

## **Record of Executive Business and Chief Executive's Order**

accommodation 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. (a) The Planning Authority has concerns regarding the quality of the proposed apartment including the lack of natural light available to the proposed living room and bathroom, privacy along the front elevation, and lack of internal storage and external bin storage. The applicant is requested to submit a revised proposal addressing these concerns. A full set of revised drawings should be submitted including, in addition, a proposed cross-sectional drawing of the development demonstrating the floor to ceiling height.  
(b) Reference to the entire property (ground and first floor) is made in the public notice yet only plans of the ground floor have been submitted. The applicant is requested to submit plans of the first floor and state what the first floor is used for and any relevant planning permission for this use. The applicant is requested to clarify if the applicant has control of the first floor.
2. The applicant is requested to submit a revised layout of not less than 1:200 scale showing details on the location and number of car and bicycle parking spaces to be provided at the development and existing car parking in the area (including management/ownership of same). Please refer to the South Dublin County Development Plan 2016-2022 and Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020) in relation to car and bicycle parking and provide a rationale for submitted approach.

**Comhairle Chontae Atha Cliath Theas**

**PR/0068/22**

**Record of Executive Business and Chief Executive's Order**

**REG. REF. SD21A/0316**

**LOCATION: 18, Mountdown Road, Manor Estate, Dublin 12**

*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:

20/1/22



**Eoin Burke, Senior Planner**