

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0021 **Application Date:** 21-Jan-2022
Submission Type: New Application **Registration Date:** 21-Jan-2022

Correspondence Name and Address: Robert Fitzpatrick Suite B, 4, Stocking Wood Drive,
Rathfarnham, Dublin 16

Proposed Development: Demolish existing shed in rear garden; construct a two
storey, three bedroom detached dwelling in side
garden; construct a new driveway for the proposed
dwelling including permission from Council to extend
the existing dished area of outside footpath; all
ancillary site works.

Location: 2, Melrose Avenue, Dublin 22

Applicant Name: Pat Hogan

Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Description:

The site is a corner site accommodating a 2-storey semi-detached dwelling with pitched roof, grey pebble-dash finish and a single-storey side extension with lean-to hipped roof which wraps around the front of the dwelling as a canopy roof.

There is a gated access and screen wall to the rear garden at the side of the house. In the rear garden, there is a block shed.

There is an electric substation to the south-west of the site.

Site Area: 0.0428 Ha.

Site Visit: 07/03/2022

Proposal:

Demolish existing shed in rear garden; construct a two storey, three bedroom detached dwelling in the side garden; construct a new driveway for the proposed dwelling including permission from Council to extend the existing dished area of outside footpath; all ancillary site works.

Zoning

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

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

Screening for Strategic Environmental Assessment

No overlap with the relevant environmental layers.

Consultations:

Environmental Services:

Surface Water	Requests Additional Information.
Flood Risk	No Objection, subject to conditions.
Irish Water	Requests Additional Information.
Roads	No objection, subject to conditions.

Submissions/Observations /Representations

None.

Relevant Planning History

None.

Relevant Enforcement History

None.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Development Plan (2016-2022)

Chapter 1 Core Strategy

Policy CS1 Objective 1

Policy CS2 Objective 5

Chapter 2 Housing

Section 2.4.0 Residential Consolidation

Policy H17 Residential Consolidation

Chapter 11 Implementation

Section 11.3.0 Residential

Section 11.3.2 Residential Consolidation

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

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

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 treatment, 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).

Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops. Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.

(ii) Corner/Side Garden Sites

Development on corner and/or side garden sites should meet the criteria for infill development in addition to the following criteria:

The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings,

The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings,

The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings,

Where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings, and

Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain.

Section 11.6.1 (i) Flood Risk Assessment

Section 11.8.0 Environmental Assessment

Relevant Government Policy
Ministerial Guidelines and Policy

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

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

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

Assessment

The main issues for assessment are:

- Zoning and Council policy;
- Visual Impact and Residential Amenity;
- Boundary Issue;
- Access, Transport and Parking;
- Public Realm;
- Water;
- Environmental impact assessment; and
- Appropriate assessment.

Zoning and Council Policy

The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. Infill residential development is permissible in principle under this zoning objective, subject to the criteria laid down in Chapter 11 of the South Dublin County Development Plan 2016 – 2022, and other relevant policies and objectives of the Plan. Development in corner gardens is guided by section 11.3.2 (ii) of the Plan.

Visual Impact and Residential Amenity

The proposed development would provide for a detached 2-storey 3-bedroom house of 88sq.m. and a rear garden of approx. 65sq.m. The applicant has not provided details for the existing site and the remaining size of the existing rear garden. The house would be accessed from the front and a 2m boundary wall would be kept to the side. The house would have a pitched roof and would match the existing house in terms of height. Materials do not appear to be specified in the drawings.

Residential Amenity

The house is slightly under the minimum size for a 3-bed house in the SDCC County Development Plan 2016 – 2022 (92m²) and the 2007 'Quality Housing for Sustainable Communities' guidelines. A slight shortfall on the minimum standard may be acceptable in an infill proposal where all other minimum standards are met. It is noted however that the house contains no separate storage accessible from a circulation area as per the guidelines. Given that there are other issues with the development, the applicant should be requested to consider alternative arrangements to provide dedicated storage areas within the house, by way of **additional information**.

Private Amenity Space

The proposed private amenity space appears to meet the minimum standard for a 3-bed house; however, the applicant has not shown the dimensions or area for the remaining amenity space to the existing house. This should be required by **additional information**.

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

Dual Frontage and Blank Facades

As per South Dublin County Development Plan 2016 - 2022 policy on dual frontage and blank facades (policy H7 objective 2, H15 Objective 2, Section 11.3.2 (ii)) and pedestrian comfort and safety (Policy TM3 Objectives 2 and 3), it is considered that the proposed blank side elevation and 2m boundary wall is inappropriate for the corner development and would, taking into consideration the combination of the wall height and the new building, provide for an imposing blank façade to the street without offering any gain in terms of passive surveillance or visual penetration through the corner site. The applicant should be requested to lower the boundary wall to the front of the site, from the point that is level with the central ridge of the proposed pitched roof. The applicant should also be requested to provide additional fenestration to habitable rooms at ground or first floor level, providing for passive surveillance of the street and to soften the overall boundary treatment. This can be submitted as **additional information**.

Public Realm

The Public Realm Department has stated no objection subject to a condition to protect the adjacent street trees and for the payment of a tree bond of €3,000.00. This is noted.

Access, Transport and Parking

The Roads Department has stated no objection subject to the following conditions:

1. Provision of 2 on-curtilage car parking spaces at the proposed property in line with the SDCC County Development Plan 2016-2022
2. The vehicular access points shall be limited to a width of 3.5 meters.
3. 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 forward visibility for vehicles.
4. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
5. Any gates shall open inwards and not out over the public domain.
6. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

Condition 1 of the above list does not comply with the South Dublin County Development Plan 2016 - 2022, which specifies maximum car parking rates only. This house is in 'Zone 2' as per section 11.4.2 of the Plan and has close proximity therefore to the No. 13 bus which is a high quality bus route. The maximum parking provision at the site is 1.5 spaces, i.e. 1 space in the case of a single unit.

Condition 6 is unenforceable. Conditions 2 to 5 are appropriate and can be attached as **conditions** to any grant of permission.

The Roads Report notes that the proposed boundary wall is taller than the usually permitted maximum. The applicant should address this by way of **additional information**.

Water

The SDCC Environmental Services Department has sought a 5m clearance between the proposed house and an existing 375mm pipe to the west of the site. The proposed house would be 2.5m from the existing pipe by the department's estimation, and the site boundary is 2m from the existing pipe. Their report also seeks details of SUDs and/or soakaway design details.

The applicant should be requested to provide section drawings showing foundations below a 45 degrees line drawn from the invert of the pipe, so as to ensure that no additional loading on the pipe arises from the development. It is not considered proportionate to require a 5m separation for access, considering that the existing pipe is 2m from the property boundary and no wayleave appears to be in place – i.e., there is no right of access at the present time.

The Irish Water report also seeks additional information with alternative proposals as follows:

The applicant is required to submit a drawing in plan and cross-sectional views showing the distance between the proposed development and the existing 150mm watermain. The drawings shall also show the invert levels of the existing 150mm watermain and any adjacent proposed building foundations. A minimum clear setback distance of 3m is required between all building foundations and a watermain this size.

Alternatively obtain a letter of confirmation of feasibility from Irish Water for proposed development and submit same to South Dublin County Council.

It is considered that the above can be included as an item for **additional information**.

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

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

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

The proposed development is acceptable in principle. There are a number of matters which require attention and can be revised through the **additional information** process.

Recommendation

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

1. (a) The applicant is requested to submit a drawing in plan and cross-section showing the distance between the proposed development and the existing 150mm watermain in the adjoining public footpath. The drawings shall also show the invert levels of the existing 150mm watermain and any adjacent proposed building foundations. The foundations of the proposed building shall be laid at such a level as to ensure no additional loading on the watermain. The applicant should fully address the requirement from Irish Water for a minimum clear setback distance of 3m between the building foundations and a watermain of this size.
(b) Alternatively, the applicant may obtain a letter of confirmation of feasibility from Irish Water for proposed development and submit the same as additional information.
2. (a) The applicant is requested to provide a drawing in plan and cross-section the relationship between the proposed building and the existing 375mm surface water pipe in the adjacent public footpath. The foundations of the proposed building shall be laid at such a level as to ensure no additional loading on the surface water pipe.
(b) The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is requested to provide revised plans which would include Sustainable Drainage Systems (SuDS) features for the development. Examples of SuDS include:
 - Rain Gardens
 - Permeable Paving
 - Planter boxes with overflow connection to the public surface water sewer.
 - Grasscrete
(c) If instead of SuDS, a soakaway is proposed, the applicant is requested to submit a

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

report showing percolation test results for same as per BRE Digest 365 Standards, and to submit plans and cross sections of proposed soakaway as per BRE Digest 365 Standards. Such a soakaway should have an overflow connection to the surface water drainage network.

3. (a) As per South Dublin County Development Plan 2016 - 2022 policy on dual frontage and blank facades (policy H7 objective 2, H15 Objective 2, Section 11.3.2 (ii)) and pedestrian comfort and safety (Policy TM3 Objectives 2 and 3), it is considered that the proposed blank side elevation and 2m boundary wall is inappropriate for the corner development and would, taking into consideration the combination of the wall height and the new building, provide for an imposing blank façade to the street without offering any gain in terms of passive surveillance or visual penetration through the corner. The applicant is requested to submit a revised plan and elevation drawings should a lower boundary wall to the front of the site, from the point that is level with the central ridge of the proposed pitched roof. This section of wall should be limited to a maximum height of 0.9m above ground.
(b) Revised plan and elevation drawings should also show additional fenestration to habitable rooms at ground or first floor level in the western side elevation, providing for passive surveillance of the street and to soften the overall boundary treatment.
(c) The front boundary wall height of 1.15m is above the maximum recommended height for adequate forward visibility. The applicant shall provide revised drawings showing the front boundary wall to be no taller than 900mm above ground. Boundary pillars should be limited to a maximum height of 1.2m above ground.
4. The applicant is requested to provide revised floor plans, showing the provision of 6sq.m of dedicated general storage space as per Table 5.1 of the 2007 'Quality Housing for Sustainable Communities - Best Practice Guidelines for Planning Authorities', and laid out with regard to the recommendations of Section 5.9 of those guidelines.
5. The applicant is requested to show on a Site Layout Plan, the area of both the proposed rear garden and the remaining rear garden for the existing house.

Comhairle Chontae Atha Cliath Theas

PR/0343/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0021

LOCATION: 2, Melrose Avenue, Dublin 22

Colm Harte

**Colm Harte,
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:

21/3/22



Eoin Burke, Senior Planner