

Comhairle Chontae Atha Cliath Theas

PR/0424/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0034 **Application Date:** 07-Feb-2022
Submission Type: New Application **Registration Date:** 07-Feb-2022
Correspondence Name and Address: John Taylor 39, North Avenue, Mount Merrion, Co. Dublin
Proposed Development: A 6.1sq.m single storey extension at the rear of the house linking the original kitchen to detached utility/playroom, conversion of playroom to kitchen and retention to increase in numbers of previously approved preschool sessional service on the ground floor from 10 to 16 children.
Location: 310 Glenview Park, Tallaght, Dublin 24
Applicant Name: Mary Cummins
Application Type: Permission and Retention

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.195 hectares.

Site Description:

The application site contains a two storey, terraced house, located on Glenview Park in a row of similar dwellings. The site currently operates as a private residence with a sessional playschool service. The surrounding area is residential in nature

Site visited:

10 March 2022

Proposal:

Retention permission is sought for the following:

- Single storey rear extension (6.1sq.m) connecting the main dwelling to existing detached playroom
- Conversion of playroom to kitchen
- Increase in numbers of previously approved sessional playschool from 10 to 16 children.

Zoning:

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

Comhairle Chontae Atha Cliath Theas

PR/0424/22

Record of Executive Business and Chief Executive's Order

Consultations:

Surface Water Drainage – No objection

Environmental Health – No comment

TUSLA – No response from Tusla.

SEA Sensitivity Screening

No overlap with relevant environmental layers

Submissions/Observations /Representations

Submission expiry date – 14/03/2022

No submissions or objections received.

Relevant Planning History

SD07A/0364: Existing preschool sessional service area for 6 children to cater for 10 children.

Permission granted.

S01B/0380: Retention of single storey extensions to rear. **Permission granted.**

Relevant Enforcement History

No recent, relevant enforcements recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

3.10.0 Early Childhood Care and Education

Policy C8 – Childcare Facilities

Policy C8 (a): It is the policy of the Council to support and facilitate the provision of good quality and accessible childcare facilities at suitable locations in the County.

C8 Objective 3: To support the provision of small scale childcare facilities in residential areas subject to appropriate safeguards to protect the amenities of the area, having regard to noise pollution and traffic management.

4.4.0 Home Working

Policy ET4 Home-Based Economic Activities

Comhairle Chontae Atha Cliath Theas

PR/0424/22

Record of Executive Business and Chief Executive's Order

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.

Section 11.3.3 Additional Accommodation

(i) Extensions

*The design of residential extensions should accord with the **South Dublin County Council House Extension Design Guide (2010)** or any superseding standards*

Section 11.3.11 Early Childhood Care and Education

Relevant Government Guidelines

***Circular PL 3/2016 - Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme**, Department of Housing, Local Government and Heritage, (2016)*

***Childcare Facilities Guidelines for Planning Authorities**, Department of Housing, Local Government and Heritage (2001)*

***Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities**, 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).*

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and visual amenity
- Services, Drainage and the Environment
- Environmental Health and Tusla
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*. Childcare facilities are 'Open for Consideration' under this zoning objective.

C8 Objective 3 of the Development Plan states it is an objective of the Council *'to support the provision of small scale childcare facilities in residential areas subject to appropriate safeguards to protect the amenities of the area, having regard to noise pollution and traffic management.'*

Comhairle Chontae Atha Cliath Theas

PR/0424/22

Record of Executive Business and Chief Executive's Order

Section 11.3.11 'Early Childhood Care and Education' sets out the criteria against which proposals for childcare facilities are to be assessed. Relevant criteria are as follows:

- Suitability of the site for the type and size of facility proposed – *the site has been operated as a day-care for a number of years and a letter from the South Dublin County Childcare Committee states their belief that the facility should be allowed to continue operating.*
- Availability of indoor and outdoor play space – *it is not clear from drawings how much indoor and outdoor space is provided for the sessional day-care. Circular PL3/2016 states that Tusla is responsible for enforcing compliance with the relevant regulations and in this regard request Planning Authorities to exclude matters relating to childcare facility standards from assessments.*
- Local traffic conditions – *located on a residential street. No submissions were received raising concerns about traffic and no issues were observed during a site visit.*
- Access, car parking and drop off facilities for staff and customers – *There is no designated car parking or drop off facilities associated with the childcare service. Given the size of the facility and its attachment to a residential dwelling, this is not considered to be of concern. No submissions were received raising concerns about existing levels of traffic or inconvenience as a result of drops offs to the property which has been operating in its current capacity since 2011.*
- Nature of the facility (full day care, sessional, after school, etc) – *Morning sessional service*
- Number of children to be catered for – *number of children to be accommodated is 16, as per site notice.*
- Intended hours of operation. – *Opening hours stated in cover letter are Monday to Friday, 9 am – 12.30pm*
- Impact on residential amenity – *The facility has been operating in its current capacity since 2011. No submissions were received stating any objection to the ongoing use of the property as a sessional childcare facility. Given the hours of operation, it is not considered that there would be a significant impact on residential amenity as a result of the ongoing use of the site for childcare.*

The Development Plan states that *'in instances of partial conversion from residential to childcare, the proposal shall be assessed as a Home Based Economic Activity.'*

Residential and Visual Amenity

The proposal includes retention of a rear extension, conversion of existing playroom to kitchen and increase in size of sessional childcare facility from 10 to 16 children. No other changes are noted from drawings.

Comhairle Chontae Atha Cliath Theas

PR/0424/22

Record of Executive Business and Chief Executive's Order

The rear extension connects the main dwelling with the previously detached single storey utility room/playroom. The extension is 6.1sq.m, has a flat roof and a large window facing into the rear garden of the property on the west elevation. This extension is considered acceptable. In principle, the conversion of the utility/playroom to kitchen is acceptable.

While it is not clear from the floor plans submitted what space is dedicated to the childcare facility, as previously stated, compliance with childcare standards is the responsibility of Tusla and not relevant as part of the Planning Authorities assessment. In this regard, the development is considered acceptable.

Services, Drainage and the Environment

Water Services has reviewed the application and has no objection. Their report states the following:

- *All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal*
- *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.*

Irish Water has reviewed the application and has stated no objection. Their report recommends **conditions** that all works shall comply with Irish Water standards, codes and practices and these are considered appropriate.

Environmental Health & Tusla

The Environmental Health Officer advised that as this application is for retention, they would have no comment except to recommend the applicant consult with Tusla. Tusla have not provided a report in relation to the application.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of a house extension. Having regard to:

- the small scale and domestic/home working nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Comhairle Chontae Atha Cliath Theas

PR/0424/22

Record of Executive Business and Chief Executive's Order

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 real 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.

Other Considerations

Development Contributions

Retention change of use (commercial to residential):	23.4sq.m
Retention (commercial):	6.1sq.m

SEA Monitoring

Building Use Type Proposed:	Retention of residential extension
Floor Area:	6.1sq.m
Land Type:	Urban Consolidation.
Site Area:	0.195 hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposal would be consistent with Council policy in relation to extensions to dwelling houses and home working.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission & Grant Retention for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0424/22

Record of Executive Business and Chief Executive's Order

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, save as may be required by other conditions attached hereto.
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Drainage - Irish Water.
 - (i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
 - (iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
3. Financial Contributions.
The developer shall pay to the Planning Authority a financial contribution of €3,047.51 (three thousand and forty seven euros and fifty one cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Act 2000 (as amended). This contribution is to be paid on receipt of Final Grant of Permission.
REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.
NOTE RE: CONDITION
Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie

Comhairle Chontae Atha Cliath Theas

PR/0424/22

Record of Executive Business and Chief Executive's Order

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: The applicant is advised to ascertain and comply with the requirements of Tusla, the Child and Family Agency, in relation to matters such as floorspace, playspace and staff/child ratios, etc.

Comhairle Chontae Atha Cliath Theas

PR/0424/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0034

LOCATION: 310 Glenview Park, Tallaght, Dublin 24

jjohnston

Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission & Grant Retention for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: _____

4/4/22

E. Burke

Eoin Burke, Senior Planner