

Comhairle Chontae Atha Cliath Theas

PR/0439/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0314 **Application Date:** 18-Nov-2021
Submission Type: Additional **Registration Date:** 11-Mar-2022
Information

Correspondence Name and Address: Michael Frain, Bright Design Architects 4, Seafield Park, Booterstown, Blackrock, Co. Dublin.

Proposed Development: Construction of two 2-storey semi-detached 2-bedroom dwellings with vehicular entrance from Templeroan Way; all associated site, landscaping, boundary and ancillary works.

Location: 48, Templeroan Way, Knocklyon, Dublin 16

Applicant Name: Tony Walsh

Application Type: Permission

(CS)

Description of Site and Surroundings

Site Area

Stated as 0.0455ha

Site Description

The application site consists of the corner side garden of an existing two-storey, semi-detached residential property located on the western side of Templeroan Way. The property is the last property in the row of houses. The Ballyboden Way Road is located to the south of the site. The site is 'L' shaped in nature.

Proposal

Permission is sought for the following:

- Construction of 2 two storey, semi-detached, two-bedroom dwellings. House 1 (110sq.m) & House 2 (110sq.m). Total proposal measures 220sq.m as stated.
- Vehicular entrance. Primary shared vehicular entrance measures a width of 3.5m.
- Landscaping
- Boundary Treatment

Zoning

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

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Consultations

Roads – Request further information

Irish Water – no objection subject to **conditions**

Surface Water Drainage – no objection subject to **conditions**.

Parks Department – **conditions** recommended in the event of a grant.

SEA Sensitivity Screening

No overlap indicated with SEA layers.

Submissions/Observations /Representations

Submission expiry date – 22/12/2021

14 submissions have been received that have raised the following concerns:

- Planning Authority has already refused permission twice for a similar proposal.
- Out of character and will increase the density of houses at the end of this cul-de-sac road.
- Concerns regarding car parking levels and traffic safety.
- Traffic hazard for vehicles and pedestrians.
- Contrary to proper planning and sustainable development of the area.
- Proposed site is elevated above Ballyboden Way and these proposed houses would loom over views residents currently enjoy.
- Upstairs bathroom windows do not indicate opaque glazing will be installed.
- Drawings submitted are confusing regarding the no. of car parking spaces to be made available.
- Car Parking for 4 vehicles has already been refused.

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- Loss of light, overshadowing and unacceptable sense of enclosure due to overdevelopment of the site.
- Proposed finish is not in harmony with other dwellings in the vicinity. Other houses are red brick to roof level.
- Overdevelopment of a constrained site.
- The extant planning permission (SD19A/0060) that was granted for this site was for a single four bedroom dwelling that would have been in keeping with the character of the area.
- Out of character, overcrowding, overdevelopment, density, design.
- Parking, traffic, access, pedestrian safety, emergency services.
- Bin storage and collection.
- Residential amenity, overlooking, value of property, loss of light, rental property.

The issues raised in the third-party submissions have been taken into account in the assessment of the proposal.

Relevant Planning History

SD21A/0124: permission refused for 2 two storey, semi-detached two bedroom dwellings with vehicular entrance from Templeroan Way; all associated site, landscaping, boundary and ancillary works.

Decision: **REFUSE PERMISSION.**

SD20A/0205 : Permission refused for two 2 storey, semi-detached two bedroom dwellings with vehicular entrance from Templeroan Way, all associated site, landscaping, boundary and ancillary works.

SD19A/0060 : Permission granted for construction of 1 two storey, four bedroom detached dwelling to side of two storey dwelling, in the side garden, with vehicular access to serve house; all ancillary works and following on foot of previously granted permission ref. SD07A/0114.

SD07A/0114 : Permission granted for two storey 4 bed detached house (190sq.m) to the side of the existing two storey house with new vehicular access for existing house and associated site works.

Adjacent sites

SD078/0007 – Application under Part VIII

Quality Bus Corridor - Taylors Lane & Grange Road

SD128/0003 – Application under Part VIII

Tallaght to Ballyboden Cycle Route Scheme

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Relevant Enforcement History

S8579 : Live case remains open.

Pre-Planning Consultation

PP040/20

2 x 2-bed dwelling units in lieu of the previously granted single dwelling unit.

It is noted this pre-planning refers to a previous application that was refused (SD21A/0124).

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

2 Housing

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

Policy H17 Residential Consolidation

Policy H17 Objective 3:

To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

7 Infrastructure & Environmental Quality

Policy IE 1 Water & Wastewater

Policy IE 2 Surface Water & Groundwater

Policy IE 3 Flood Risk

Policy IE 7 Environmental Quality

8 Green Infrastructure

Policy G1 Overarching

Policy G5 Sustainable Urban Drainage Systems

9. Heritage, Conservation & Landscapes

Policy HCL2 Natura 2000 sites

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 (i) Infill Sites

Section 11.3.2 (ii) Corner/Side Garden Sites

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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 11.6.0 Infrastructure and Environmental Quality

- (i) Flood Risk Assessment
- (ii) Surface Water
- (iii) SUDS
- (iv) Groundwater
- (v) Rainwater Harvesting
- (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 EIA

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

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 are as follows:

- Zoning and Council policy
- Planning History
- Residential & Visual Amenity
- Services and Drainage
- Parks & Landscaping
- Access and Parking
- Overcoming Previous Reasons for Refusal
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

The site is located in an area which is subject to zoning objective 'RES' 'to protect and/or improve residential amenity.' The development of a dwelling is permitted in principle subject to its

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accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.2 (i) which relates to Infill Sites and (ii) Corner/Side Garden Sites.

Planning History

As per the 'Planning History' section of this report a recent application (SD21A/0124) for two x two storey semi-detached dwellings was **refused** planning permission. The application was refused for three main reasons. The first reason related to residential amenity concerns and in particular overlooking, overshadowing, overdevelopment of the site and the excessive height and depth of the structure on a shared site boundary. The second reason for refusal related to traffic safety and the third reason for refusal related to foul drainage requirements.

As per the 'Planning History' section of this report an older application (SD20A/0205) for two x two storey semi-detached dwellings was refused planning permission. The application was refused permission for five reasons concerning residential amenity and in particular overlooking and overdevelopment, visual amenity due to the failure to respond and integrate with the site, traffic safety, and the lack of information in relation to surface and foul water.

The above is covered in further detail in the Overcoming Previous Reasons for Refusal section of this report.

Residential & Visual Amenity

Internal floor area

The planning drawings submitted show that the internal floor area for the **proposed 2 semi-detached two storey dwelling** (House 1 c.110sq.m. & House 2 c.110sq.m.) with hipped pitched roofs measures a combined total of 220sq.m. This would comply with the provisions of the South Dublin County Council Development Plan 2016-2022 which requires a minimum floor area of 80sq.m for a house with two bedrooms (Table 11.20: Minimum Space Standards for Houses).

Private open space

The planning drawings submitted show that the quantity of private open space for the existing dwelling (No. 48 Templeroan Way) will be of a reasonable level post development (c,115sq.m.).

The private open space for the proposed **House 1** (immediately south of existing dwelling No.48) with an internal floor area of 110sq.m is stated as 60sq.m. and is above the 55sq.m minimum standard for a two bedroom house and would comply with the provisions of the South Dublin County Council Development Plan 2016-2022 Section, 11.3.1 Residential (iv) Dwelling Standards, (Table 11.20: Minimum Space Standards for Houses).

The private open space for the proposed **House 2** (immediately south of proposed House 1) with an internal floor area of 110sq.m is stated as 56sq.m. and is above the 55sq.m minimum standard for a two bedroom house and would comply with the provisions of the South Dublin County

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Council Development Plan 2016-2022 Section, 11.3.1 Residential (iv) Dwelling Standards, (Table 11.20: Minimum Space Standards for Houses).

Rooms sizes

It is noted that the drawings submitted show that both proposed dwellings (House 1 & House 2) have the same layout and room sizes.

Bedroom 1 for House 1 & House 2 measures an internal floor area of c.9.04sq.m. This proposed bedroom size **does not comply** with Section 11.3.1 Residential (iv) Dwelling Standards regarding minimum internal floor areas for proposed bedrooms. Regarding Bedroom 1, a double bedroom must measure a minimum of 11.4sq.m whereas in this instance Bedroom 1 only measures c.9.04sq.m and would not comply with the SDCC Development Plan. It is considered this can be addressed by way of a request for **additional information**.

Bedroom 2 for House 1 & House 2 measures an internal floor area of c.13.2sq.m. This proposed bedroom size **does comply** with Section 11.3.1 Residential (iv) Dwelling Standards regarding minimum internal floor areas for proposed bedrooms. Regarding Bedroom 2, the area of the main bedroom should be at least 13sq.m and therefore Bedroom 2 complies with Section 11.3.1 Residential (iv).

The proposed unobstructed living room widths requirements would comply with Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007.

Storage

Drawings submitted show both House 1 & House 2 will each have c.3.55sq.m. for storage. To comply with the minimum storage area requirements as per the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007, a minimum of 4sq.m of dedicated storage space should be provided for a 2 bed, 4 person, 2 storey house. Therefore the level of storage to be provided **would not comply** with the above policy. It is considered this may be addressed by way of a request for **additional information**.

Building lines

Proposed main front and rear building lines broadly align with the existing dwelling (No. 48 Templeroan way). This is considered to be broadly acceptable in this instance.

Boundary Treatment

The applicant has not submitted clear proposed boundary treatment details. No details have been submitted for proposed boundary wall treatment for the front, sides and rear. This **would not comply** with the South Dublin County Council Development Plan 2016-2022.

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Roof Profile

Both dwellings will have a hipped roof profile with a ridge height of c.7.42m and will have an eaves height of c.5.5m. The proposed ridge height broadly matches the ridge height of the existing dwelling (No. 48 Templeroan Way). However, the proposed eaves height will be set slightly higher than the eaves height of the existing dwelling (No.48). The parapet height of the proposed single storey rear element will be c.3.2m. It is not considered that there will be a significant adverse impact on residential and visual amenity. It is noted that the applicant states in their cover letter that the proposed height is of a similar height and scale to what was granted permission for a single dwelling as per SD19A/0060 for a 1 detached two storey dwelling.

Overlooking & Overbearing impact

The proposed 2 semi-detached dwellings will not be located directly on a shared site boundary (previous reason for refusal *SD21A/0124*). House No. 1 will be offset by c.1.0m from the shared site boundary with the existing dwelling to the north (No.48 Templeroan Way). There will be a separation distance of c.2.0m between House No. 1 and the existing dwelling to the north (No.48 Templeroan Way). There is a proposed access passage alongside both dwellings. Therefore, there will be no undue overbearing impact on the existing dwelling.

The current application SD21A/0314 has been reduced in size at first floor level. This has the effect of reducing the depth of the first floor plan and now provides a separation distance in excess of the required 22 metres between directly opposing above ground floor windows. The proposed site layout plan indicates a separation of 23.35 metres will now be provided between directly opposing above ground floor windows with the rear neighbour (No.57 Templeroan Drive). Therefore, there will be no undue overlooking and this element of the proposal would comply with Section 11.3.1 Residential (iv) Dwelling Standards (v) Privacy of the SDCC Development Plan 2016-2022. It is noted that under SD21A/0214 the separation distance between directly opposing above ground floor windows was below 22m and this formed part of the previous reason for refusal.

Opaque bathroom windows are proposed on first floor elevations for both proposed dwellings (House 1 & House 2). The applicant has stated in their cover letter submitted that there are no existing windows to any habitable room on the side elevation of the existing dwelling (No.48 Templeroan Way) which faces onto the proposed site. On inspection the first floor side windows of No.48 Templeroan Way appear to be transparent and could potentially overlook into the proposed landing window of House No.1 which is located closest to the existing dwelling No.48. Therefore, in the event of a grant a **condition** shall be attached that the landing window at first floor level of House No.1 shall use obscure glazing.

Services and Drainage

Both Irish Water and Surface Water Drainage have recommended no objections subject to **conditions**. An extract taken from the Irish Water report states the following:

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1 Water

Prior to the commencement of development the applicant or developer shall enter into water connection agreement(s) with Irish Water.

Reason: In the interest of public health and to ensure adequate water facilities.

2 Foul

Prior to the commencement of development the applicant or developer shall enter into waste water connection agreement(s) with Irish Water.

Reason: In the interest of public health and to ensure adequate waste water 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:

1. Include Water Butts in proposed development as part of SuDS (Sustainable urban Drainage).

Flood Risk No Objection

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.

Parks & Landscaping

The applicant has submitted a landscape plan as part of this application. The Parks Department has issued a report recommending **conditions** to be attached in the event of a grant. An extract taken from the Parks report states the following:

COMMENTS:

In relation to the above proposed development, this section has reviewed the application and has the following comments.

Landscape Plan

The submitted landscape plan lacks sufficient information and is not acceptable to the Public Realm Section. A landscape plan with an accompanying detailed planting plan 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

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biodiversity and green infrastructure links. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.

The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:

1.Landscape Plan

The site shall be landscaped in accordance with a comprehensive scheme of landscaping which includes boundary planting; details of which shall be submitted to the Planning Authority. In addition the applicant shall submit a detailed planting plan for the proposed development. The planting plan should provide the following information:

Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate

Implementation timetables

CONDITION

REASON: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.

2.Implementation of Planting Plan

*Within 6 months of the commencement of development or during the first planting season after the commencement of development the proposed planting proposals which is to include tree and hedgerow planting shall be completed. Written confirmation (with supporting photographic evidence) confirming that the tree planting and landscaping scheme has been implemented in full shall be submitted to the Planning Authority. **CONDITION***

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022

3.Sustainable Drainage System (SuDS)

No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

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REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

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

Access and Parking

A report was received from the Roads Section recommending Additional Information be requested. An extract taken from the Roads report states the following:

Vehicular Entrances: *The proposed layout does not show on-curtilage parking or a vehicular entrance for the existing property at No. 48. A site inspection has shown that the front boundary wall across the subject property and that of the existing property at no. 48 has been removed. The current parking layout and any proposed layout that would result in the right angle arrangement of both the existing and proposed vehicular entrances would increase the risk of a traffic accident, thereby endangering public safety by reason of a traffic hazard. It is suggested that a safer arrangement would be to provide a shared entrance for the existing and proposed properties in order to avoid this traffic hazard.*



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

1. *A revised layout of not less than 1:100 scale, showing a red line boundary for No. 48 if it is the applicant's ownership.*
2. *A revised layout of not less than 1:100 scale, showing the existing demolished boundary treatment and proposed shared vehicle entrance shown in plan and elevation with a maximum width of 4.2m. (Note: A width of 4.2m is only acceptable for a shared entrance). 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.*
3. *A revised layout of not less than 1:100 scale, showing provision of space for 3 on-curtilage parking spaces for the proposed dwellings and 2 on-curtilage parking spaces for the existing dwelling at No. 48. And a swept path analysis showing how the cars can safely access and egress these parking spaces.*

It is considered appropriate to request the above **additional information**.

Overcoming Previous Reasons for Refusal

Below is a list of the three previous reasons for refusal as per Reg. Ref. SD21A/0124.

1. *The proposed new dwellings, by reason of the excessive height and depth of the structure proposed directly on a shared site boundary and proximity to a neighbouring residential property including habitable room windows and their private amenity space, would result in a significant and material loss of light, overshadowing and unacceptable sense of enclosure. In addition to this, the proposal would result in harmful overlooking between directly facing habitable room windows, to the properties to the south-west of the application site. The proposed development is considered to be over development of the site. Thus, the proposed development would seriously injure the amenity of property in the vicinity and would be contrary to the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore be contrary to the South Dublin County Council Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.*
2. *Insufficient space would be provided within the application site for the parking of four cars to meet parking standards in a safe manner and in particular would prevent car occupants from safely accessing and egressing parked vehicles due to the restricted nature of the site which in turn could lead to traffic displacement in the surrounding area. In addition to this the proposed entrance would impede access to the existing vehicular access of the neighbouring property and vice versa. These factors would lead to a traffic hazard and unsafe conditions for pedestrians and therefore the proposed development would be contrary to the proper planning and sustainable development of the area.*

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- 3. Having regard to the lack of information submitted in relation to foul water, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and is not in the interests of the proper planning and sustainable development of the area.*

1.The applicant has attempted to overcome the first reason for previous refusal as per reg. ref. SD21A/0124. For the current proposal SD21A/0314 the proposed 2 semi-detached dwellings will not be located directly on a shared site boundary. House No. 1 will be offset by c.1.0m from the shared site boundary with the existing dwelling to the north (No.48 Templeroan Way). There will be a separation distance of c.2.0m between House No. 1 and the existing dwelling to the north (No.48 Templeroan Way). Therefore, there will be no undue overbearing impact on the existing dwelling.

The current application SD21A/0314 has been reduced in size at first floor level. This has the effect of reducing the depth of the first floor plan and now provides a separation distance in excess of the required 22 metres between directly opposing above ground floor windows. The proposed site layout plan indicates a separation of 23.35 metres will now be provided between directly opposing above ground floor windows with the rear neighbour (No.57 Templeroan Drive). Therefore, there will be no undue overlooking and this element of the proposal would comply with Section 11.3.1 Residential (iv) Dwelling Standards (v) Privacy of the SDCC Development Plan 2016-2022. It is noted that under SD21A/0214 the separation distance between directly opposing above ground floor windows was below 22m and this formed part of the previous reason for refusal.

It is considered that this current application has broadly overcome this previous reason for refusal.

2. The applicant has attempted to overcome the second reason for previous refusal as per reg. ref. SD21A/0124. However, on review of this current application (SD21A/0314) the Roads Department have recommended **Additional Information** be requested as the proposal in its current state would endanger public safety by reason of a traffic hazard. As the applicant has not overcome this previous reason for refusal it is considered appropriate to request the Additional Information indicated by the Roads Department.

- 3.The applicant has attempted to overcome the third reason for previous refusal as per reg. ref. SD21A/0124. On review of this current application (SD21A/0314) the Irish Water have recommended no objection subject to **conditions**. It is considered that this current application SD21A/0314 has overcome this previous reason for refusal.

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Screening for Appropriate Assessment (AA)

Having regard to the scale and nature of the development, connection to public services and the distance from Natura sites, it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 AA is not required.

Screening for Environmental Impact Assessment (EIAR)

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.

Conclusion

There are significant concerns with the proposal in relation to the creation of a traffic hazard and insufficient bedroom sizes. The issue of endangering public safety by reason of a traffic hazard formed a reason for refusal in a similar and previously refused scheme and have not been addressed by the applicant. It is considered the above may be addressed by way of a request for **additional information**.

Recommendation

Request Further Information.

Further Information

- Further Information was requested on 21/01/2022.
- Further Information was received on 11/03/2022.

No submissions/observations on the further information have been made.

The following Further Information was requested.

Item 1: Roads Requirements

The applicant is requested to submit the following:

- (a) A revised layout of not less than 1:100 scale, showing an enlarged red line site boundary to include the entire curtilage of No. 48 Templeroan Way (if it is in the applicant's ownership) or a blue line around No. 48 Templeroan Way (if it is within the applicant's legal control). The applicant is reminded that all proposed development must be within the red line boundary.
- (b) A revised layout of not less than 1:100 scale, showing the existing demolished boundary treatment and proposed shared vehicle entrance shown in plan and elevation with a maximum width of 4.2m. (Note: A width of 4.2m is only acceptable for a shared entrance). 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.

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(c) A revised layout of not less than 1:100 scale, showing provision of space for 3 on-curtilage parking spaces for the proposed dwellings and 2 on-curtilage parking spaces for the existing dwelling at No. 48, and a swept path analysis showing how the cars can safely access and egress these parking spaces.

Item 2: Bedroom Sizes

Bedroom no. 1 for both House 1 and House 2 measures c.9.04sq.m. which does not comply with Section 11.3.1 Residential (iv) Dwelling Standards regarding minimum internal floor areas for proposed bedrooms of the SDCC Development Plan 2016-2022. The applicant is requested to submit revised drawings clearly showing that the internal floor area for Bedroom no. 1 for both House 1 and House 2 to comply with Sc11.3.1 Residential whereby a double bedroom must measure a minimum of 11.4sq.m.

Item 3: Storage

Storage for both House 1 and House 2 will each have 3.55sq.m. To comply with the minimum storage area requirements as per the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007, a minimum of 4sq.m. of dedicated storage space should be provided for a 2 bed, 4 person, 2 storey house. The applicant is requested to submit revised drawings accordingly.

Further Consultations

Roads Section – No objections subject to **conditions**.

Further Submissions/Observations

None received.

Assessment

Item 1: Roads Requirements

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

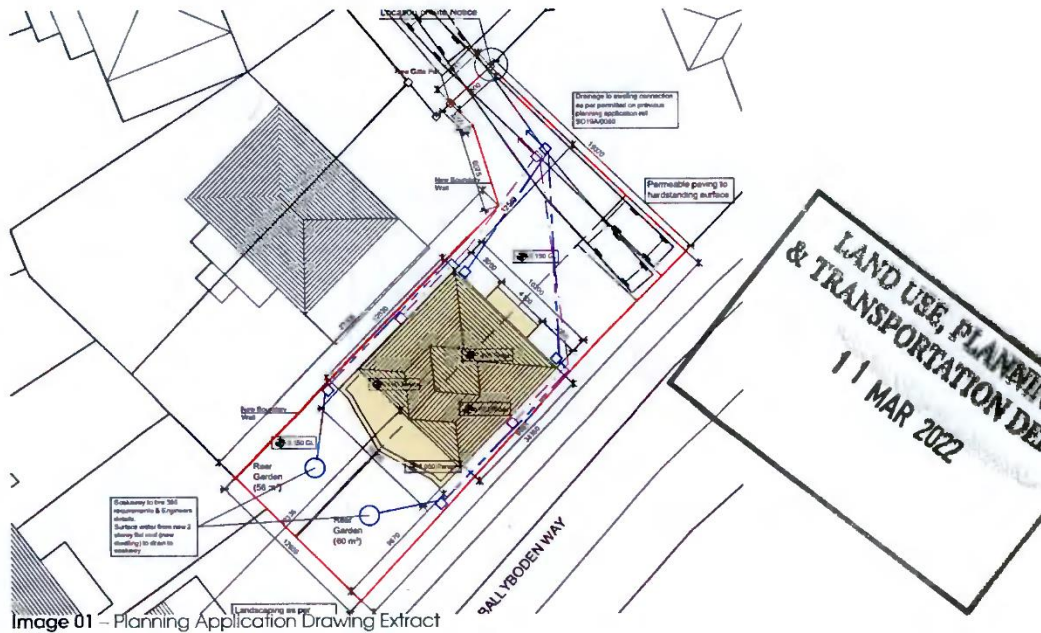
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Item 1(a).

- a. We would note that No. 48 Templeroan Way is not in our clients ownership. Our clients property ownership extends only to the site outlined in red. Therefore it is our understanding that the drawings as submitted in the planning application to date are correct. This is now submitted at 1:100 Scale



The applicant has clarified that the existing dwelling No. 48 Templeroan Way is not within the red line boundary.

Item 1(b)

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- b. The existing boundary treatment / demolition is shown at 1:100 scale along with the proposed boundary treatment. The proposed entrance to the proposed dwellings is contained entirely within our clients ownership as per the drawings submitted. Boundary walls to our clients property / site to which this application relates will be enclosed with blockwork walls 900mm high with piers 1200mm high.

Our client is happy to comply with any condition in relation to these elements.



The revised drawings submitted show the existing demolished boundary treatment and proposed shared vehicle entrance in plan and elevation. However, as the applicant does not own No. 48 Templeroan Way it is not within the applicant's gift to propose a shared entrance for No.48.

Item 1 (c).

- c. Please find enclosed drawings from ONCE Consultant Engineers showing the following traffic movements –
- 4960-01 – Proposed New Dwelling Houses. Cars existing the proposed 3 no. parking bays
 - 4969-02 – Proposed New Dwelling Houses. Cars entering the proposed 3 no. parking bays
 - 4969-03 – Existing Dwelling House. 2 no. cars entering No. 48 Templeroan Way
 - 4969-04 – Existing Dwelling House. 2 no. cars exiting No. 48 Templeroan Way

The revised drawings submitted show 3 no. car parking spaces for the 2 proposed semi-detached dwellings. As the existing dwelling No.48 Templeroan Way is not within the applicants' ownership and is not within the red line boundary it is not within the applicants' gift to propose car parking arrangements for the existing dwelling.

Roads have no objection. They recommend the following conditions:

1.The vehicular access points shall be limited to a width of 3.5 meters.

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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 forward visibility for vehicles.

3.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.

4.Any gates shall open inwards and not out over the public domain.

5.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.

In the event of a grant, it is considered all of the above **conditions** be attached apart from condition no.5 as it is considered that this condition is unenforceable.

The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for item 1.

Item 2: Bedroom Sizes

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

Item No. 2:

Bedroom no. 1 for both House 1 and House 2 measures c.9.04sq.m. which does not comply with Section 11.3.1 Residential (iv) Dwelling Standards regarding minimum internal floor areas for proposed bedrooms of the SDCC Development Plan 2016-2022. The applicant is requested to submit revised drawings clearly showing that the internal floor area for Bedroom no. 1 for both House 1 and House 2 to comply with Sc11.3.1 Residential whereby a double bedroom must measure a minimum of 11.4sq.m.

With regards to the floor areas of the room as per all drawings its recommended that the stated dimensions be used for floor area calculations. I'm not sure if there was a scaling issue with the drawings used but the calculation of c9.04 is not correct. The stated dimensions for Bedrooms 01 are 2.95 x 3.86 which total s11.39m2.

The attached drawings show an adjustment of 40mm to ensure that that floor area of the proposed room exceeds the 11.4M2 minimum area for a doouble bedroom (3.86 x 3.0 = 11.58m2)

Revised drawings submitted show that the internal floor area for Bedroom no. 1 for both House 1 and House 2 now complies with Sc11.3.1 Residential Development whereby a double bedroom must measure a minimum of 11.4sq.m. The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

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Item 3: Storage

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

Item No. 3:

Storage for both House 1 and House 2 will each have 3.55sq.m. To comply with the minimum storage requirements as per the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007, a minimum of 4sq.m. of dedicated storage space should be provided for a 2 bed, 4 person, 2 storey house. The applicant is requested to submit revised drawings accordingly.

We would refer the Planning Authority to the cover letter submitted with the application which sets out the provision of storage space in each of the proposed dwellings. As per the sketches attached again below the storage floor area totals 4.1m²

We appreciate that any misunderstanding may have come from scaling issues. The re-submitted drawings confirm the dimensions of these spaces.

Ground Floor –	1.4 x 1.835 = 2.57m ²	
First Floor -	2.095 x .75 = 1.58m ²	Total = 4.15m ²

Revised storage for both House 1 and House 2 is now indicated to be 4.1sq.m. which complies with the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007, whereby a minimum of 4sq.m. of dedicated storage space should be provided for a 2 bed, 4 person, 2 storey house. The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

Other Considerations

Development Contributions

- House 1 measures c.110sq.m. & House 2 measures c.110sq.m.
- Assessable area is 220sq.m.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – 2 no. semi-detached dwellings	220sq.m.
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0455

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

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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 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.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 11/03/2022, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Amendments - Glazing.
The landing window at first floor level on the western elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.
REASON: In the interest of residential amenity.
3. (a) External Finishes.
All external finishes shall harmonise in colour or texture that is complementary to the house or its context.
REASON: In the interest of visual amenity.

(b) Restriction on Use.
The house shall be used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.
REASON: To prevent unauthorised development.

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(c) Drainage - Irish Water.

(i) Prior to the commencement of development the applicant or developer shall enter into water connection agreement(s) with Irish Water.

(ii) Prior to the commencement of development the applicant or developer shall enter into waste water connection agreement(s) with Irish Water.

(iii) The applicant shall include Water Butts in proposed development as part of SuDS (Sustainable urban Drainage).

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

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

(vi) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(vii) 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.

(viii) 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.

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and

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13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

4. Boundary Treatment Details

Prior to commencement of development the applicant shall submit to the Planning Authority for written approval clear boundary treatment details in both plan and elevation for all front, rear and all side boundaries. Proposed boundary treatment details should comply with the South Dublin County Council Development Plan 2016-2022.

REASON: In the interest of proper planning and sustainable development of the area.

5. Access & Parking Requirements.

- (a) The vehicular access points shall be limited to a width of 3.5 meters.
- (b) 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.
- (c) 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.
- (d) Any gates shall open inwards and not out over the public domain.

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REASON: In the interest of proper planning and sustainable development and proper roads planning.

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €22,987.80 (twenty two thousand nine hundred and eighty seven euros and eighty 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 Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

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.

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 applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

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REG. REF. SD21A/0314

LOCATION: 48, Templeoan Way, Knocklyon, Dublin 16

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 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:

7/4/22



Eoin Burke, Senior Planner