

## Planning Report

John and Jenny Whelan intend to apply for permission for development on this site at 1 Fonthill Park, Rathfarnham, Dublin 14, D14 E938 (entire site area of 558 sq m).

The proposed development consists of the demolition of an existing single storey garage (14 sq m) and shed (14 sq m) and the construction of a two storey, three bedroom detached house to the side (124 sq m gfa); 2 new vehicular entrances, one from Fonthill Road, one from Fonthill Park; all associated site works and utility connections.

Location: 1 Fonthill Park, Rathfarnham, Dublin 14, D14 E938 (entire site area of 558 sq m)

Applicant: John and Jenny Whelan

Date: March 2022

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## TABLE OF CONTENTS

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<b>1.0</b>	<b>Introduction</b>	<b>1</b>
1.1	Application for Planning Permission	1
1.2	Pre-Application Consultation	1
1.3	Section 96 Certificate of Exemption	1
<b>2.0</b>	<b>Site and Development Description</b>	<b>2</b>
2.1	Site Description / Context	2
2.2	Description of the Development	4
<b>3.0</b>	<b>Planning History</b>	<b>4</b>
<b>4.0</b>	<b>Policy Context</b>	<b>5</b>
4.1	South Dublin County Development Plan 2016-2022	5
<b>5.0</b>	<b>Key Planning Issues</b>	<b>7</b>
5.1	Planning History	7
5.2	Building Height	7
5.3	Consistency with Planning Policy	8
5.4	Appropriate Assessment Screening	8
<b>6.0</b>	<b>Application Documentation</b>	<b>9</b>
<b>7.0</b>	<b>Conclusions</b>	<b>10</b>
<b>Appendix 1: Drawing Issue Sheet</b>		
<b>Appendix 2: Application form for certificate of exemption from the provisions of section 96 of the Planning and Development Act, 2000 as amended, including a statutory declaration</b>		

## **1.0 Introduction**

### **1.1 Application for Permission**

This Planning Report has been prepared by O'Connor Whelan Limited.

It provides supporting documentation for an application for permission for development consisting of the demolition of an existing single storey garage (14 sq m) and shed (14 sq m) and the construction of a two storey, three bedroom detached house to the side (124 sq m gfa); 2 new vehicular entrances, one from Fonthill Road, one from Fonthill Park; all associated site works and utility connections.

The proposed development is located at 1 Fonthill Park, Rathfarnham, Dublin 14, D14 E938 (entire site area of 558 sq m), and is submitted on behalf of John and Jenny Whelan, the owners and occupiers of 1 Fonthill Park.

### **1.2 Pre-Application Consultation**

No pre-application discussions were had with South Dublin County Council, given the relatively small scale of the proposed development.

### **1.3 Section 96 Certificate of Exemption**

An application form for certificate of exemption from the provisions of section 96 of the Planning and Development Act, 2000 as amended, including a statutory declaration, is included as Appendix 1.

## **2.0 Site and Development Description**

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### **2.1 Site Description / Context**

The application site is located on the corner of Fonthill Park and Fonthill Road, with the main entrance off Fonthill Park. It has a total area of 558 sq m.

It currently is occupied by a five bedroom house, with a converted attic bedroom. It has a side kitchen extension and a garage that was formally converted to living accommodation in the 1980s. A new garage was built to the side (this will be demolished as part of his planning application). The total existing living accommodation is 165 sq m (excluding the garage and shed proposed for demolition).

There is also a shed to the side which will be demolished as part of this planning application. In the rear garden is a walled area which used to contain an ESB substation. This was decommissioned approximately 10 years ago and the land bought by the applicants. A much smaller substation is located fronting onto Fonthill Road.

Fonthill Park and Fonthill Road is comprised of mostly semi-detached four and five bedroom houses. Some side gardens have been built on with new dwellings, most notably the side garden adjoining no.2 Fonthill Road, directly west of the subject site.

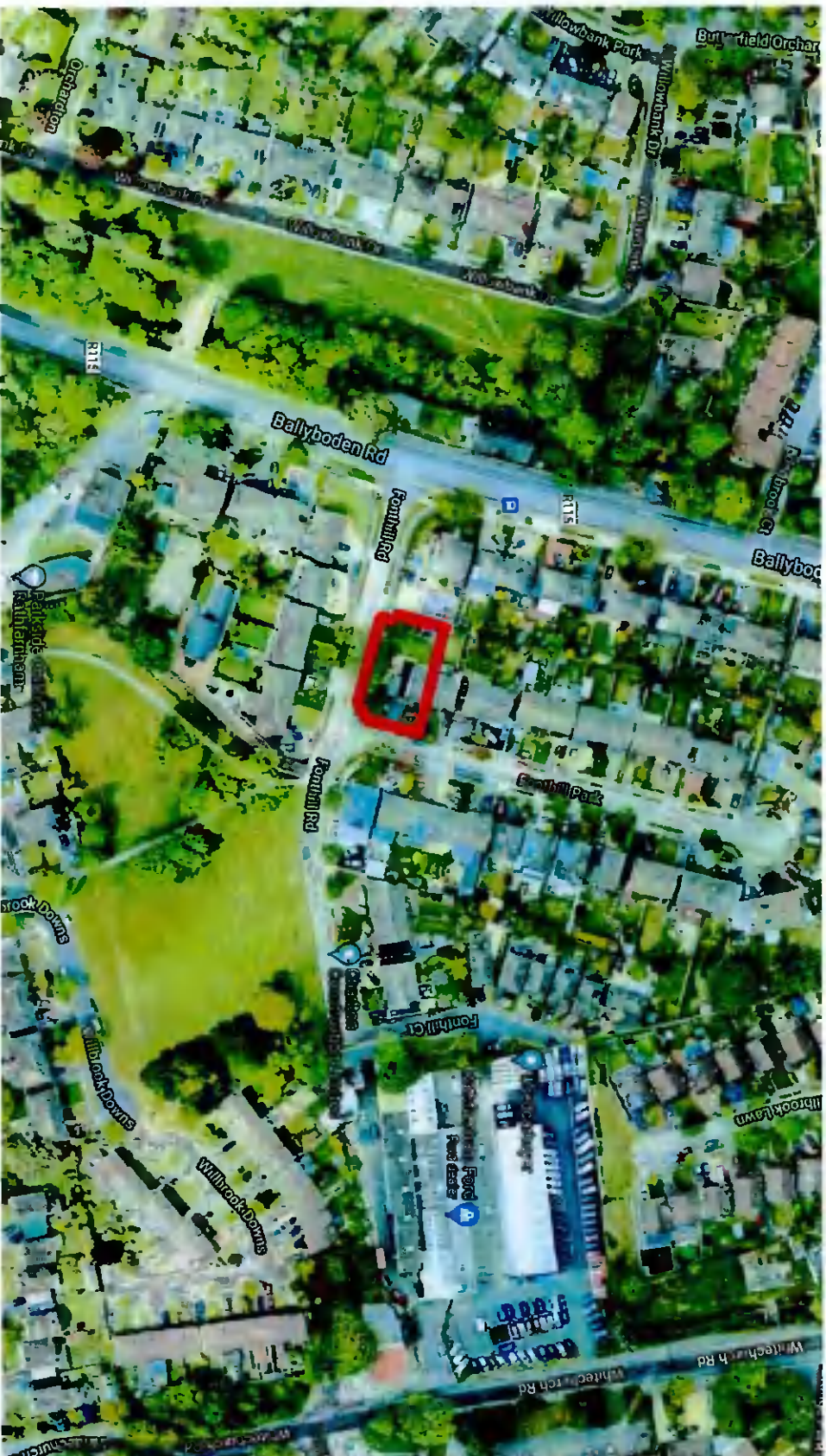


Figure 1: Site Location (approximate boundaries of site outlined in red)



## 2.2 Description of the Development

The proposed development consists of:

- The demolition of an existing single storey garage (14 sq m) and shed (14 sq m);
- The construction of a two storey, three bedroom house to the side (124 sq m gfa);
- The provision of 2 new vehicular entrances, one from Fonthill Road, one from Fonthill Park;
- All associated site works and utility connections.

The proposed dwelling will consist of a hall, sitting room, kitchen / dining area, utility room and WC at ground floor level.

At first level three double bedrooms (one ensuite), a bathroom and a study are proposed.

The proposed dwelling will be finished with a Black Thrutone slate roof over rendered elevations (RAL 1013 Oyster white or similar). The proposed windows will be double glazed alucal windows in RAL 1716 Anthracite grey or similar approved.

## 3.0 Planning History

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The following planning permissions relate to the premises:

**Register Reference SD04A/0566, PL 06S.209273:**

Planning permission refused by An Bord Pleanála for the demolition of an existing single storey garage and shed and the erection of a 2 storey, 3 bed dwelling to the side.

There was a single reason for refusal attached by An Bord Pleanála:

*"The proposed development, by reason of its design and projection well beyond the established building line would seriously injure the visual amenity of the area and would, therefore, be contrary to the proper planning and sustainable development of the area."*

Planning permission on the adjoining site is also relevant:

**Register Reference SD18A/0007:**

Permission granted by South Dublin County Council for a 4 bedroom, 2 storey detached house including converted attic with dormer window to side of 2 Fonthill Park, with the front door entrance off Fonthill Road & vehicular entrance for car parking to rear off Fonthill Road and associated site works.

This site (no. 2 Fonthill Park) is directly opposite the subject site.

The relevance of these two decisions is discussed in more detail in section 5.1 below.

## 4.0 Policy Context

### 4.1 South Dublin County Development Plan 2016-2022

#### 4.1.1 Relevant Residential Policy

The following policies of the Development Plan are relevant:

*“HOUSING (H) Policy 3 Housing for Older People*

*It is the policy of the Council to support the provision of accommodation for older people in established residential and mixed use areas that offer a choice and mix of accommodation types to older people (independent and semi-independent living) within their communities and at locations that are proximate to services and amenities.”*

The purpose of the proposed development is to allow the applicants to downsize into a smaller dwelling. The fact that the dwelling will be located adjoining their existing dwelling has many social advantages in that they can continue to live in the estate where they have been living for over 45 years.

*“HOUSING (H) Policy 7 Urban Design in Residential Developments*

*It is the policy of the Council to ensure that all new residential development within the County is of high quality design and complies with Government guidance on the design of sustainable residential development and residential streets including that prepared by the Minister under Section 28 of the Planning & Development Act 2000 (as amended).”*

The design of the proposed development is of high quality and will complement other housing in the area, in particular the new dwelling adjoining no. 2 Fonthill Park.

*HOUSING (H) Policy 8 Residential Densities*

*It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.*

Whilst the proposed development is for a single house, it will promote higher residential densities in the area.

*HOUSING (H) Policy 17 Residential Consolidation*

*It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.*

*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 2:*

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

*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.*

The proposed development complies with this policy and these objectives. It will lead to intensification of development at an appropriate location without impacting on any surrounding amenities. It is an infill development on a large corner site. The site can be developed to provide a new dwelling whilst complying with all standards outlined in the Development Plan.

Section 11.3.2.(ii) "Corner / Side Garden Sites is also relevant:

*"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."*

The proposed development has been designed to comply with these requirements. The site is of sufficient size to accommodate the proposed development. It matches the building line along Fonthill Park and the newly created building line on Fonthill Road. The design and roof profile complements existing surrounding dwellings. There is a dual frontage by the creation of a new car parking space and vehicular on Fonthill Road and the provision of high level windows on the southern façade.



#### 4.1.2 Zoning

The site is zoned RES: "Existing Residential", the objective of which is:

"To protect and/or improve residential amenity."

Clearly, the proposed development is entirely consistent with the zoning objective.

## 5.0 Key Planning Issues

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### 5.1 Planning History

As referred to in section 3.0 above, a similar planning application for a dwelling on this site was refused by South Dublin County Council and An Bord Pleanála back in 2004.

We believe that this decision is no longer relevant. Government policy and South Dublin County Council policy since then has been to intensify the development of lower density areas, where appropriate i.e. where there is no impact on the existing amenities and there is access to public transportation facilities.

We believe that the design avoids any negative impacts on the residential amenities. There will be no increased overlooking or overshadowing of existing dwellings. The existing and proposed dwelling will have adequate private open space. The provision of 2 no. car parking spaces will avoid on-street car parking.

In terms of access to public transport, the proposed development will be a short distance to Dublin Bus route 61 (ca. 0.2km), 15B (ca. 0.6km) and routes 16, 17 and 75 (all ca. 1.1km).

The proposed development is also consistent with the siting and building line on the recently completed dwelling adjoining no. 2 Fonthill Park. The design of the proposed development was cognizant of that dwelling permitted under Register Reference SD18A/0007.

### 5.2 Building Height

The proposed development is slightly higher than the existing dwelling – it will have a ridge height of 109.63m compared to the 108.927 for the existing dwelling. The height is to allow the future conversion of the attic (not included as part of this planning application), which involves an element of future proofing of the proposal, in the event of a future resident wanting to extend the dwelling.

We believe that the difference in height is minor and will not be noticeable. It is also a corner site and therefore capable of accommodating increased height. We also note that the dwelling permitted under Register Reference SD18A/0007 is higher than no. 2 Fonthill Park.

### 5.3 Consistency with Planning Policy

As referred to above it has been a feature of Government planning policy to encourage the densification of the suburbs where appropriate.

As outlined in some detail in section 4.0 above, the proposed development complies with the requirements for residential development in the Development Plan, in particular the requirement regarding development in corner / side gardens.

The proposed development also complies with Development Plan standards regarding private open space, separation distances and off-street car parking.

### 5.4 Appropriate Assessment Screening

We believe that there is no requirement to undertake an Appropriate Assessment (AA) for the proposed development.

The planning application has been screened for Appropriate Assessment in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC).

The nearest Natura 2000 sites are:

- Wicklow Mountains SPA (Site Code: 004040) which is 5.5 km to the south of the site (as the crow flies).
- Wicklow Mountains SAC (Site Code: 002122) which is 5.5 km to the south of the site (as the crow flies).
- Glenasmole Valley SAC (Site Code: 001209) which is 6.1 south west of the site (as the crow flies).
- South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), which is 6.7 km to the north east of the site (as the crow flies).
- South Dublin Bay SAC (Site Code: 000210) which is 6.7 km north east of the site (as the crow flies).
- North Dublin Bay SAC (Site Code: 000206) which is 9.2 km to the north east of the site (as the crow flies).
- North Bull Island SPA (Site Code: 004006) which is 10.8 km to the north east of the site (as the crow flies).
- Rockabill to Dalkey Island SAC (Site Code: 003000) which is 13.5 km to the east of the site (as the crow flies).

The proposed development is on an urban site which is mostly built-up. There will be a minor increase in surface water run-off, and thus no impact on the Natura 2000 sites.

A potential pathway link between the proposed development and the Dublin Bay area is foul effluent which is discharged to Ringsend WWTP. However the additional loadings generated by the proposed development will be extremely minor particularly in the context that the overall design load capacity of the WWTP is 1.64 million p.e.

Accordingly, no Appropriate Assessment is required in this instance.

## 6.0 Application Documentation

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The following documentation and related drawings are enclosed herewith as part of this application:

### ***Drawings***

Six copies of the drawings prepared by AWL Architects, as per the Drawing Issue Sheet in Appendix 1.

### ***Planning Fee***

A cheque for €225 is enclosed. The planning application fee is in accordance with Schedule 9, Part 12 of the Planning and Development Regulations 2001 – Class 1 building.

### ***Planning Application Form***

Completed Planning Application Form, signed and dated.

### ***Notices***

- One copy of the Newspaper Notice from the Irish Daily Star, dated 29th March 2022.
- One copy of the Site Notice posted on the site, as indicated on the Site Location Plan.

## 7.0 Conclusions

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In summary, the proposed development is an application for permission for development consisting of the demolition of an existing single storey garage (14 sq m) and shed (14 sq m) and the construction of a two storey, three bedroom house to the side (124 sq m gfa); 2 new vehicular entrances, one from Fonthill Road, one from Fonthill Park; all associated site works and utility connections.

The proposed development is located at 1 Fonthill Park, Rathfarnham, Dublin 14, D14 E938 (entire site area of 558 sq m), and is submitted on behalf of John and Jenny Whelan, the owners and occupiers of 1 Fonthill Park.

The proposed development has been designed in order to allow the applicants to downsize to a smaller dwelling., allowing them to remain in the neighbourhood. Existing and future residential amenities have been paramount in the design of the proposal.

It accords with the objectives and standards outlined in the County Development Plan, in particular increased density on appropriate corner sites close to public transport routes.

In this regard we look forward to an early and favourable decision from South Dublin County Council.

Signed



Alan Whelan  
Director  
O'Connor Whelan







**Appendix 2: Application form for certificate of exemption from the provisions of section 96 of the Planning and Development Act, 2000 as amended, including a statutory declaration**

