

Comhairle Chontae Atha Cliath Theas

PR/0670/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0095 **Application Date:** 04-Apr-2022
Submission Type: New Application **Registration Date:** 04-Apr-2022
Correspondence Name and Address: Kane Architecture 6, Clarinda Park North, Dun Laoghaire, Co. Dublin
Proposed Development: 2 storey dwelling with mono pitched roof and ancillary site works to side of existing house.
Location: 50A, Springvale, Edmonstown Road, Rathfarnham, Dublin 16
Applicant Name: Brian Sheridan
Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: 0.0307 Hectares.

Site Description:

The corner site is located within the established Springvale Estate, located to the west of Edmondstown Road, and comprises the side garden of an existing two storey semi-detached house (No.50A Springvale). The streetscape of Springvale is characterised by semi-detached houses similar form and by a uniform building line. There is a significant level difference between the dwellings in the western side of Springvale and those to the east. The site is located at significant height above the dwellings to the east and an area of overgrowth separates the site from dwellings to the east below.

In essence, the site is located on the western bank of a steep river valley.

Site Visit: 27/05/2022

Proposal:

- Construct two storey **detached 2 bedroom dwelling** to side of existing dwelling with mono-pitched roof (E-W) and with courtyard on eastern elevation.
- Shared vehicular access arrangement between the existing No. 50A and the proposed No. 50B with an entrance width of 3890mm.
- 2 no car parking spaces for the proposed dwelling.
- Proposed works measure c.103sq.m.

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It is noted that No.50 and No.50A currently have a shared vehicular access arrangement in place (c.4m wide).

Zoning:

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

Consultations:

Roads Section – **Refusal** recommended.

Surface Water Drainage – **Additional Information** recommended.

Irish Water – **Additional Information** recommended.

Parks Department – **Additional Information** recommended.

SEA Sensitivity Screening

No overlap indicated with SEA screening tool layers.

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Submissions/Observations /Representations

Two objections were received. The main points of concern relate to the following:

- Levels and proximity to adjacent properties levels in drawings P-04 and P-05 in relation to existing properties No.s 1-7 Springvale are inaccurate and misleading.
- Drawings showing actual existing and proposed levels and contiguous elevations showing actual distances from adjacent properties should be requested.
- There is an existing c.5m 'Permacrib' type timber retaining structure in place at the rear boundary of No.s 1-21 Springvale. The applicant should be required to demonstrate that the structural integrity of this will not be compromised when carrying out works.
- Due to the west facing aspect of the existing gardens of No.s 1-7 Springvale, coupled with the c.5m high retaining structure on their rear boundary and c.2m high boundary wall beyond that, direct sunlight into the rear gardens of these properties has always been limited but has been compounded by the recent construction of No.50A Springvale and will be further impacted should permission be granted for the proposal.
- An additional house (No.50A) has already been constructed on the site.
- The site is at a significant gradient below that of No.50A Springvale. Being located on a steep hill as the land falls towards the Owendore River to the east.
- No consent has been provided by No.50 to include a shared vehicular entrance.
- In purchasing No.50 the Grant of Easement that was agreed states the vehicular entrance will be used for one number additional dwelling only (see solicitors letter attached).
- Proposal does not include a Section 97 Certificate of Exemption.
- Proposal will not overcome previous reasons for refusal as per SD17A/0320.
- Contrary to 'RES' zoning objective for the area.
- Overbearing and overshadowing impact.
- Potential subsidence impact on adjacent dwellings
- Contrary to County Development Plan 2016-2022

The objections lodged with the application have been considered in the overall assessment of the proposed development

Relevant Planning History

Subject site

None recorded for subject site outlined in red.

Adjacent sites

SD17A/0320: In the side garden of No. 50, Springvale, Rathfarnham, Dublin 16 **2 storey, detached** 4 bed dwellings, new vehicular entrance and car parking and associated works. The height of the proposed dwelling matches the existing dwelling No. 50.

Decision: **REFUSE PERMISSION (SDCC).**

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Reasons for Refusal.

1. *The proposed dwelling, by virtue of the design which in comparison to the dwelling permitted under SD09A/0184 breaks the rear building line and encroaches farther east on the site towards dwellings to the east will result in significant overshadowing of the adjoining properties to the east. The proposed development would also be unduly overbearing, in particular when viewed from the dwellings to the east, and would therefore seriously injure the residential amenities or depreciate the value of property in the vicinity. The proposed development is contrary to Section 11.3.2(ii) of the South Dublin County Development Plan (2016 - 2022) and therefore materially contravenes the Development Plan and would be contrary to the proper planning and sustainable development of the area.*

2. *The private amenity space to service the proposed dwelling does not comply with the minimum requirements of table 11.20 of the South Dublin County Development Plan 2016-2022 which requires 70sq.m of private open space for a 4 bedroom dwelling. The proposed dwelling would therefore be seriously injurious to the residential amenity of future occupants of the proposed dwelling. The proposed development materially contravenes the Development Plan of South Dublin County Development Plan (2016 - 2022) and would be contrary to the proper planning and sustainable development of the area.*

Application was appealed to ABP (PL06S.300336) whereby ABP overturned SDCC Decision and **Granted Permission subject to conditions. No.50A (detached 2 storey) is now constructed on site.**

Conditions as per ABP (PL06S.300336) attached below:

- 1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.*
- 2. Details of the materials, colours and textures of all external finishes to the proposed dwelling and boundary treatment shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of visual amenity.*
- 3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Reason: In the interest of public health.*
- 4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning*

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authority prior to commencement of development. Reason: In the interest of residential and visual amenity.

5. *All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Reason: In the interest of visual and residential amenity.*

6. *The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, in particular the retaining wall element and including hours of working, noise management measures and off-site disposal of construction/demolition waste. Reason: In the interests of public safety and residential amenity.*

7. *The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in 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 made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.*

SD17A/0182: 50, Springvale, Rathfarnham, Dublin 16.

2 storey **detached** dwelling with 4 'Velux' roof lights and pv panels to rear roof, new vehicular entrance, car parking and associated works.

Decision: **REFUSE PERMISSION.**

Reasons for Refusal.

1. *The proposed dwelling, by virtue of the design which in comparison to the dwelling permitted under SD09A/ 0184 breaks the rear building line, has a taller ridge height and*

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encroaches farther east on the site towards dwellings to the east will result in significant overshadowing of the adjoining properties to the east. The proposed development would also be unduly overbearing, in particular when viewed from the dwellings to the east. Thus, the proposed development would seriously injure the amenities of property in the vicinity. The proposed development is contrary to Section 11.3.2(ii) of the South Dublin County Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.

It is noted no appeal was made to ABP.

SD09A/0184: in the side garden of **50**, Springvale, Rathfarnham, Dublin 16.

(a) .2 storey **terraced** dwelling, (b) new vehicular entrance onto the site; (c) together with necessary site ancillary works.

Decision: **GRANT PERMISSION.**

SD08A/0367: Side of 50, Springvale, Dublin 16.

Construction of new split level 2/3 storey detached dwelling; new vehicular entrance onto site together with necessary site ancillary works.

Decision: **REFUSE PERMISSION.**

Reasons for Refusal:

1. The proposed dwelling, by virtue of the split level design, coupled with the proximity of the development to the site boundary and its orientation will result in significant overshadowing of the adjoining properties to the east. The proposed development would also be unduly overbearing, in particular when viewed from the dwellings to the east, and would therefore seriously injure the residential amenities or depreciate the value of property in the vicinity. The proposed development is contrary to Section 12.4.6 of the South Dublin County Development Plan (2004 – 2010) and the proper planning and sustainable development of the area.

Relevant Enforcement History

None recorded for subject site

Pre-Planning Consultation

None recorded for subject site

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

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

Policy H17 Residential Consolidation

Policy H17 Objective 3:

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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.

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

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 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 treatments, 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).

Section 11.3.2 (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,

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- 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 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

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,
- Residential and Visual Amenity,
- Access and Parking
- Parks & Landscaping
- Services and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity.' The development of a dwelling is permitted in principle subject to its accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.2 (ii) which relates to Corner/Side Garden Sites.

Residential & Visual Amenity

Internal floor area

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The planning drawings submitted show that the internal floor area for the **proposed detached two storey dwelling** measures c.103sq.m. (as stated). 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.50A) will be of a reasonable level post development (c.65sq.m.).

The private open space for the **proposed house** with an internal floor area of 103sq.m. measures c.55sq.m. and would comply with the 55sq.m. minimum standard for a two bedroom house. This 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).

Rooms sizes

Bedroom 1(front) measures c.16sq.m. and bedroom 2 (rear) measures c.11.9sq.m. Proposed bedroom size comply with Section 11.3.1 Residential (iv) Dwelling Standards regarding minimum internal floor areas for proposed bedrooms.

The proposed unobstructed living room width of c.2.9m is below the required 3.6m for a two bedroom house. Therefore the unobstructed living room width requirements would not comply with Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007. This would **not be acceptable.**

Storage

Drawings submitted show no dedicated storage will be provided for the proposed dwelling. This would not 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.

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Overlooking & Separation Distance

The proposed dwelling will be sited c.3m lower than the existing dwelling to the west (No.50A Springvale) and therefore will have no undue overlooking on the existing dwelling.

The proposed detached dwelling will be built to the eastern site boundary (shown in site layout plan). The eastern elevation of the proposed dwelling will overlook a number of dwellings to the east (No.s. 2,3 & 4 Springvale). The eastern elevation will contain large windows at both ground floor and first floor accommodating stairs and landing. The windows will be set back by c.2.4m from the eastern site boundary. There will be a separation distance of c.11m from the proposed eastern elevation and properties to the east (No.s.2,3 & 4). However there will be a separation distance of c.13.4m between the first floor landing window of the proposed and properties to the east (No.s. 2,3 & 4 Springvale). As the proposed dwelling will be sited at a significantly higher level (c.1.2m) than the existing dwellings immediately to the east (No.s. 2,3 & 4 Springvale) this would provide for a greater sense of overlooking and overbearing, particularly with the excessive height and length of the proposed dwelling along the east elevation.

Visual Amenity, Building lines & Overbearing impact

The proposed dwelling will project outwards by c.2.5m. from the main rear building line of the existing dwelling (No.50A). At ground floor level the rear of the proposed dwelling will project outwards from the main rear building line of the existing by c.4.5m. The main front building line of the proposed will broadly align with the main front building line of the existing dwelling (No.50A). The single storey element to the rear will have a flat parapet roof with a parapet height of c.2.7m. Building lines are considered to be broadly acceptable.

The proposed dwelling will have a mono-pitched roof leaning in an east to west. direction. It will have a ridge height of c.6.385m that will be built to the eastern site boundary and will have an eaves height of c.5m on the western elevation. The height of the proposed along the eastern site boundary with immediate neighbours to the east (No.s 2,3 &4 Springvale) will result in significant overshadowing of the properties to the east. Given the differences in height between the proposed dwelling and the existing neighbouring dwellings to the east the proposed development would also be unduly overbearing, in particular when viewed from the dwellings to the east and would therefore seriously injure the residential amenities. In addition, it is considered that the extent of level changes on this small site and the proposed finished floor level will adversely impact on the visual and residential amenity of the area.

Therefore the proposal should be **refused**.

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Boundary Treatment

The applicant has not submitted clear boundary treatment details for all proposed boundaries. Proposed boundary treatment details should comply with the South Dublin County Council Development Plan 2016-2022. Concerns are raised in relation to the extent of level changes on a small site and the impact of same on residential and visual amenity.

Roof Profile

The planning drawings submitted show that the proposed detached dwelling will have a mono-pitched roof (E-W). It is noted that the immediate neighbour to the west (No.50A) has a pitched roof. Due to height/level differences on site the proposed mono-pitch roof will be set considerably below the ridge height of the existing dwelling. The proposed mono-pitched roof will be set slightly lower than the ridge height of the neighbouring dwelling to the east (No.s. 2,3 & 4 Springvale). However, given that the eastern elevation of the dwelling will be built to the boundary with the immediate neighbours to the east this will have an overshadowing and overbearing impact on the immediate neighbours to the east.

First floor rear balcony

Due to the location of the balcony, it is likely to give rise to adverse impact on residential amenity of the dwellings to the east. Furthermore, the presence of the balcony and internal courtyard may indicate a future intention to subdivide the dwelling into apartments should planning permission for the dwelling be granted.

Therefore, the proposal should be **refused**.

Access and Parking

The Roads Section recommend **Refusal**. There is currently a shared vehicular access arrangement between No.50 and No.50A where the existing shared vehicular entrance measures c.4m. The Roads report considers a further dwelling on the site in addition to No.50A would endanger public safety by reason of a traffic hazard as three dwellings would be sharing one vehicular entrance.

There is currently a shared vehicular access arrangement between No.50 and No.50A.

An extract taken from the Roads Section stated the following:

Description:

Application to build 2 storey dwelling to the side of 50A Springvale with shared vehicular access.

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Related Previous Application:

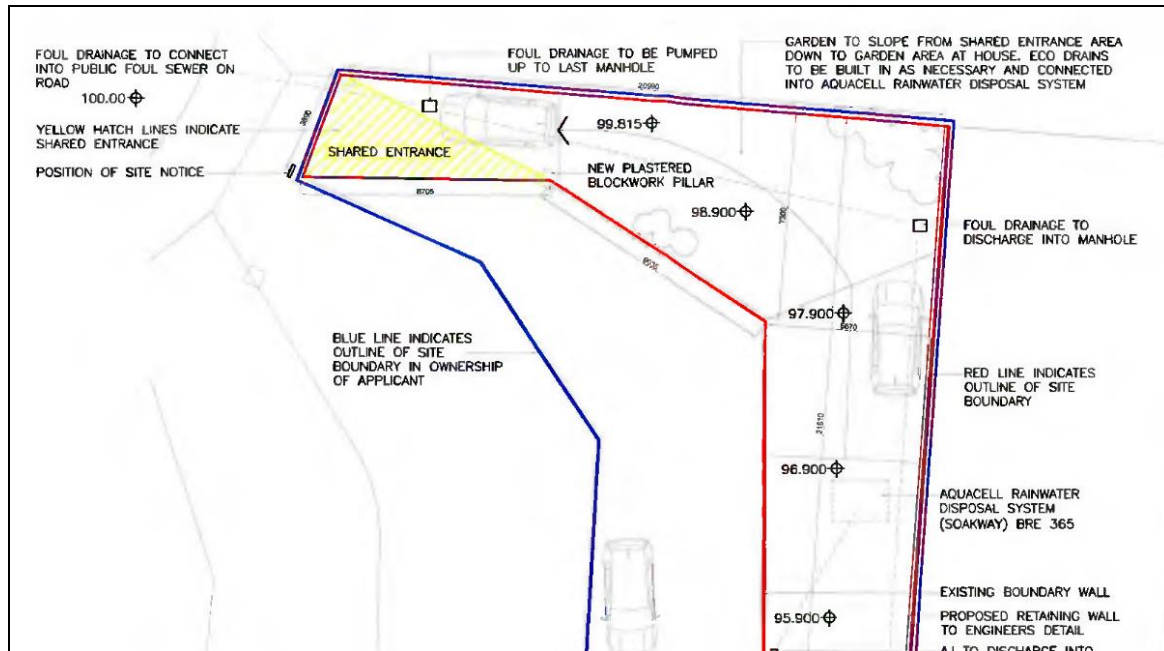
SD17A/0320: A previous application was submitted with a proposal to build No. 50A. In the related SDCC Roads Report it was noted that;

“The proposed layout includes a common entrance area within the site boundary. It will be the responsibility of the site owner(s) to establish a right of way at the entrance.”

Access:

The applicant has submitted drawings showing a proposed shared vehicular access arrangement between the existing No. 50A and the proposed No. 50B with an entrance width of 3890mm.

This would result in a vehicular entrance being shared by 3 properties. SDCC Roads Department considers this an inappropriate combined vehicular entrance at a constrained site which would compromise the safety of pedestrians and drivers. This constitutes a traffic hazard.



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Roads recommends refusal.

1. The proposed development would intensify the use of an existing shared access, increasing the risk of a traffic accident, thereby endangering public safety by reason of a traffic hazard.

As the proposal would endanger public safety by reason of a traffic hazard the application should be **refused**.

Parks & Landscaping

The Parks Department have issued a report recommending **Additional Information** be requested. An extract taken from the Parks report states the following:

*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 **ADDITIONAL INFORMATION BE REQUESTED:***

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1. *There are concerns with the lack of information submitted in terms of a landscaping scheme and boundary treatment for the proposed development. The applicant is requested to provide a landscape design including details of boundary treatment for the proposed development. The applicant shall provide a detailed landscape plan with full works specification, that accords with the specifications and requirements of the Public Realm Section. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated tree pits. The landscape proposals to be prepared by a suitably qualified landscape architect.*

2. *There are concerns with the lack of information submitted in relation to existing trees and hedgerows within the site. The applicant is requested to submit a detailed tree and hedgerow survey report for the trees within the proposed development area. This tree survey shall be undertaken by a suitably qualified arborist. The report shall provide detailed information on the condition and health of the existing trees and it shall also clearly detail what impacts the development will have on the trees but also potentially the tree roots.*

3. *The applicant has provided little or no information as to the visual impact of the proposed development. Given the prominent location and elevation of the proposed site it is likely that the proposed development will have a negative visual impact upon the receiving landscape. Visual Impacts of the proposed development include:*

- *direct impacts of the development upon views in the landscape; and*
- *overall impact on visual amenity*

Having regard to the prominent location and elevation of the proposed development site; the applicant is requested to submit a Visual Impact Assessment identifying key viewpoints to the site from the surrounding area, including CGI of existing views and views of the proposed development.

4. *The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is required to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.*

a) *The applicant shall show natural SUDS features for the development such as Green roofs, grass, tree pits, permeable paving, porous asphalt and other such SuDS and show what attenuation capacity is provided by such SuDS.*

b) *Water butts shall be provided*

c) *The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.*

The above recommendations are noted.

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Services and Drainage

Both Irish Water and Surface Water Drainage have recommended **Additional Information** be requested. An extract taken from the Irish Water report states the following:

1 Water (Further Information)

1.1 The applicant has not submitted water supply drawings for the proposed development. The applicant is required to submit a drawing in plan outlining the existing and proposed water supply layout for the development.

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

All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

2 Foul (No Objection)

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

All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

An extract taken from the Surface Water Drainage report states the following:

Surface Water Report:**Further Information** Required:

1.1 The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Permeable Paving*
- Grasscrete*
- Rain Gardens*
- Planter boxes with overflow connection to the public surface water sewer.*
- Swales*
- Channel Rills*

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1.2 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

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.

Due to insufficient information submitted regarding requirements for Irish Water and Surface Water Drainage the Planning Authority cannot be satisfied that the proposal would not be prejudicial to public health as should therefore be **refused**.

Screening for Appropriate Assessment (AA)

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 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.

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.

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Conclusion

It is considered that the proposed dwelling will result in significant overshadowing of the adjoining properties to the east. The proposed development would also be unduly overbearing and adversely impact on the visual amenity of the area, in particular when viewed from the dwellings to the east and would therefore seriously injure residential amenity in the area. The proposed development is contrary to the South Dublin County Development Plan (2016 - 2022) and the proper planning and sustainable development of the area. The proposal would provide for overdevelopment of a constrained site with challenging topography, would endanger public safety by reason of a traffic hazard and may be prejudicial to public health and should therefore be **refused**.

Procedural Note:

In the event of further consideration of the proposal, a site layout plan showing the full relationship with the dwellings to the east is required to satisfy the regulations. In addition, the proposed application does not show the boundary wall heights, sections or ground levels of the adjoining properties.

Recommendation

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

SCHEDULE

REASON(S)

1. In the South Dublin County Development Plan (2016 - 2022) the site is zoned with the objective 'RES' 'to protect and/or improve residential amenity'.
Due to its height and length along the east elevation, location, proposed first floor balcony to the rear and the extent of level changes, the proposed dwelling would result in significant overshadowing and overbearing of the adjacent dwellings to the east and adversely impact their residential amenity and therefore would neither protect nor improve residential amenity. Furthermore, having regard to the extent of level changes required on the site, the proposed development will adversely impact on the visual amenity of the area.
Thus, the proposed development would contravene the RES objective, would seriously injure the amenity of property in the vicinity and would contravene the proper planning and sustainable development of the area.
2. The proposed development would intensify the use of an existing shared access, increasing the risk of a traffic accident, thereby endangering public safety by reason of traffic hazard.

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3. Due to insufficient information submitted regarding requirements for foul and surface water drainage, the Planning Authority cannot be satisfied that the proposal would not be prejudicial to public health.

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REG. REF. SD22A/0095

LOCATION: 50A, Springvale, Edmonstown Road, Rathfarnham, Dublin 16



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

Date:

30/5/22



Eoin Burke, Senior Planner