

Comhairle Chontae Atha Cliath Theas

PR/0711/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0149 **Application Date:** 12-Apr-2022
Submission Type: New Application **Registration Date:** 12-Apr-2022
Correspondence Name and Address: Robert Reilly 19, Birchview Avenue, Dublin 24
Proposed Development: Construction of a new single storey, pitched roof, home office and games room (44.9sq.m) and all associated site works to the rear garden.
Location: 19, Birchview Avenue, Dublin 24
Applicant Name: Robert Reilly
Application Type: Permission

Description of Site and Surroundings:

Site Area

Stated as 0.0279 Hectares.

Site Description

The application site is located within the established residential area known as Birchview and contains a semi-detached two storey dwelling. The surrounding streetscape of Birchview is generally characterised by semi-detached two storey dwellings of similar appearance and form. The subject site is located towards the northern end of a small row of semi-detached dwellings which have a slightly staggered front building line.

The subject site is bound to the north by Birchview Avenue, to the west by No. 20 Birchview Avenue, to the south and east by public open space and the Greenhills Road.

Proposal:

Permission is being sought for the following:

- Provision of a single storey pitched roof structure in the rear garden of the existing dwelling which is comprised of a games room, home office and a toilet with an approximate Gross Floor Area of 44.9 sq m.
- The single storey structure has an approximate width of 6.725m, a length of 8.35m and a pitched roof profile with 3 No. rooflights and an eaves height of approximately 2.35m and a ridge height of 3.85m.
- The west and north elevations of the proposed single storey structure are blank, the east elevation contains 3 No. windows and the west south elevation contains a door and a window.

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- All ancillary site works above and below ground.

Zoning:

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity' in the South Dublin County Development Plan 2016-2022.

Consultations:

Drainage and Water Services Section: Additional Information required.

Irish Water: Additional Information required.

Roads Section: No objection.

SEA Sensitivity Screening

No overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

Submission expiry date – 16th May 2022 - No submissions or objections received.

Relevant Planning History

None recorded for subject site.

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 2.4.1 Residential Extensions

Policy H13 Private and Semi-Private Open Space

- It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

- It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

Policy H17 – Residential Consolidation:

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- 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.

Policy H18 Residential Extensions

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

Policy H18 Objective 2:

- To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

(iii) Backland Development

- *Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking.*

Section 11.3.3 Additional Accommodation

Section 11.3.3 (I) Extensions

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

South Dublin County Council House Extension Design Guide (2010)

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The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on side extensions:

Elements of Good Extension Design:

- *'Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible'.*

Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019).

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

Planning Note

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Article 23(1)(c) of the Planning and Development Regulations 2001 (as amended) states that:

'The site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate'

The Existing and Proposed Site Layout Plan shown on Drawing No. L_(00)_PA do not include levels or contours of the land and the proposed structures relative to Ordnance Survey datum. In this regard, the Applicant should be requested to provide a revised Existing and Proposed Site Layout Plan accurately showing the levels/contours of the subject site and proposed structure. These revised drawings should be requested by way of ADDITIONAL INFORMATION.

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Vehicular Access and Parking;
- Drainage and Water Services;
- Environmental Impact Assessment;
- Appropriate Assessment Screening.

Zoning and Council Policy

Residential development is in principle consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. A structure to the rear of the existing dwelling is ancillary to the main residential use, it is considered to be permissible in principle under this zoning objective, subject to the proposal being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010 and the South Dublin County Development Plan 2016-2022.

The potential physical impact of the proposed development on the visual and residential amenity of the subject site, adjoining properties and surrounding streetscape is further assessed throughout this Report.

Visual Amenity

The proposed development is comprised of a single storey pitched roof structure in the rear garden of the existing dwelling which is comprised of a games room, home office and a toilet with an approximate Gross Floor Area of 44.9 sq m. The structure has an approximate width of 6.725m, a length of 8.35m and a pitched roof profile with 3 No. rooflights and an eaves height of approximately 2.35m and a ridge height of 3.85m.

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The proposed structure is located approximately 3.5m to the southeast of the main dwelling and directly abuts the party boundary with No. 20 Birchview Avenue. There is a 2m high boundary wall between the rear gardens of the subject site and No. 20 Birchview Avenue. Having regard to the eaves height of approximately 2.35m and a ridge height of 3.85m, the new structure will have a significant visual impact on the neighbouring property. In relation to the potential for overbearing impact, the South Dublin House Extension Design Guide notes that:

*'Do not overlook, overshadow or have an overbearing affect on properties next door...
...Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved'.*

Having regard to the above and in the interests of reducing the potential visual impact of the proposed structure, it is considered that the Applicant should re-design the proposed development to lessen the potential impact. This can be achieved through measures including but not limited to a reduction in the proposed height, increased separation distance to the party boundary and the adoption of a flat roof profile. The Applicant should be requested to submit ADDITIONAL INFORMATION demonstrating the re-design of the proposal, in the form of a complete set of revised Site Layout Plan, cross sectional, elevational and plan drawings.

Residential Amenity

As a full set of existing floor plans has not been provided with the Planning Application, it is unclear how many bedrooms are contained within the existing dwelling. Given the size of the ground floor and the fenestration pattern at first floor level, it is a reasonable assumption that the dwelling contains either three or four bedrooms.

Table 11.20 of the Development Plan indicates that 60 sq m is the minimum Private Open Space provision for a 3 No. bedroom house, rising to 70 sq m for a 4 No. bedroom house. It would appear from the Proposed Site Layout Plan that adequate Private Amenity Space would remain should permission be Granted for the Proposed Development. However, clarification should be sought from the Applicant regarding the number of bedrooms in the existing dwelling, to confirm that sufficient Private Amenity Space is provided in line with the requirements outlined in Table 11.20 of the Development Plan. This clarification can be provided by way of a request for ADDITIONAL INFORMATION consisting of a complete set of existing Floor Plans for the dwelling.

The Application does not state that the proposed structure shall be operated as a separate dwelling to the main dwelling. According to the floorplans provided with the Planning Application, the structure contains a home office, games room and a toilet. As such, it would appear that the proposed structure is not intended for use as a dwelling. However, should permission be granted for the proposed development, a CONDITION should be attached ensuring that the structure cannot be utilised as a dwelling without the benefit of appropriate permission being obtained in a separate Planning

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Application. To ensure the building is not used for habitable purposes a CONDITION should also be imposed omitting the toilet.

Vehicular Access and Parking

According to the plans and particulars submitted by the Applicant, there will be no change to the existing vehicular entrance and the car parking arrangements to the front of the existing dwelling.

A report received from the Roads Department indicates that they have no objections to the proposed development.

Drainage and Water Services

The Report of the Drainage and Water Services Department indicates the following ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development:

- The applicant has not submitted surface water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: *servicemaps@sdublincoco.ie*
- 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 to manage additional surface water run off from the proposed development.

The Report of Irish Water indicates that the following ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development:

- The applicant has not submitted foul water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: *datarequests@water.ie*.

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Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises provision of a single storey structure containing a games room, toilet and a home office. 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.

Conclusion

Having regard to the 'RES' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2016 – 2022 and the recommendations and the South Dublin House Extension Design Guide 2010 it is considered that **ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development.

Recommendation

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

1. The Applicant is requested to re-design the proposed development to reduce the impact on the residential amenity of the adjoining properties specifically No. 20 Birchview Avenue. This can be achieved through measures including but not limited to a reduction in the proposed height, increased separation distance to the party boundary and/or the adoption of a flat roof profile. The Applicant is requested to submit a complete set of revised Site Layout Plan, cross sectional, elevational and plan drawings showing the revised design of the proposed structure.
2. The Applicant is requested to address the following deficiencies in the plans and particulars provided:

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- (i) The Existing and Proposed Site Layout Plans shown on Drawing No. L_(00)_PA do not include levels or contours of the land and the proposed structures relative to Ordnance Survey datum. In this regard, the Applicant is requested to provide a revised Existing and Proposed Site Layout Plan accurately showing the levels/contours of the subject site and proposed structure.
- (ii) Existing floor plans of the existing dwelling are required to facilitate a complete assessment of the Private Amenity Space provision remaining should the proposed structure be granted.
3. The Applicant is requested to provide the following information to facilitate a complete assessment of the proposed development:
- (i) The applicant is required to submit a drawing showing existing and proposed surface water and foul drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all A_j's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.
- (ii) The applicant is required to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features to manage additional surface water run off from the proposed development.
4. The applicant is requested to fully justify the need for a detached structure of this scale in the rear garden. The applicant is advised that the Planning Authority has concerns in relation to the impact of the proposal on the adjoining neighbour and considers that the c8.3 m depth of the structure adjoining the common boundary is unacceptable. The applicant is requested to consider a reduction in the scale of the structure and consider if some of the floorspace/ uses could be accommodated as an extension to the dwelling.

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REG. REF. SD22B/0149

LOCATION: 19, Birchview Avenue, Dublin 24


Colm Harte

**Colm Harte,
Senior Executive Planner**

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date:

6/6/22


Eoin Burke, Senior Planner