

Comhairle Chontae Atha Cliath Theas

PR/0755/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0118 **Application Date:** 22-Apr-2022
Submission Type: New Application **Registration Date:** 22-Apr-2022

Correspondence Name and Address: Don McGuinness 8, The Falls, Lower Dodder Road, Rathfarnham, Dublin 14

Proposed Development: Construction of two storey, detached house directly adjacent to the existing house; 3 bedrooms and 2 car parking spaces. The proposed will be designated 13A.

Location: 13, Tullyhall Mews, Lucan, Co. Dublin

Applicant Name: Kaushal Kathura

Application Type: Permission

Description of Site and Surroundings

Site Description

The site is the side garden of No. Tullyhall Mews, which is a detached dwelling located at the end of Tullyhall Mews, Lucan Co. Dublin. The site is bound to the north by No. 13 Tullyhall Mews, to the east by No. 26 Tullyhall Close, to the south by the boundary wall of the Tullyhall residential development, the other side of which lies Adamstown Avenue and to the west by a footpath providing pedestrian access onto Adamstown Avenue.

The surrounding streetscape is generally characterised by residential dwellings of a similar architectural form and scale.

Site Area:

Stated as 0.0318 Ha.

Proposal

The proposed development is comprised of a two-storey detached house to be constructed directly adjacent to the southern boundary of No. 13 Tullyhall Mews. The proposed dwelling an approximate Gross Floor Area of 138.68 sq m and is comprised of an entrance hallway, toilet, living room and kitchen at ground floor level and 3 No. bedrooms, a bathroom, and a study at first floor level. The proposed dwelling has a pitched roof profile with a ridge height of approximately 8.6m which appears to match that of adjacent dwellings along Tullyhall Mews.

The proposal also includes all ancillary site works above and below ground, including but not limited to provision of a new vehicular access and 2 No. off-street car parking spaces, front and rear gardens and drainage and water services infrastructure.

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Zoning

The 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: Additional Information required.

Irish Water: Additional Information required.

Parks and Public Realm: No objection subject to conditions.

Roads: Additional Information required.

Transport Infrastructure Ireland: No objection.

Submissions/Observations/Representations

Final date for submissions/observations – 26th May 2022.

None received.

Relevant Planning History

Subject Site

No recent planning history specific to the subject site.

Parent Permission and Amendment Applications

SD16A/0448 – Tullyhall Mews and Tullyhall Close, Lucan, Co. Dublin

5 no. 2 storey infill houses with associated site works. Houses here were previously permitted under permission SD05A/0274/EP, now lapsed.

SDCC Decision: Grant Permission, subject to conditions.

SD15A/0056 - Lands south of Tullyhall and north of the Main Dublin Cork Railway Line, Esker South, Lucan, Dublin

Modification to previously approved and partially completed residential development. A permission (SD05A/0274/EP and An Bord Pleanala Ref. No. PL06S.216131) was granted by An Bord Pleanala and subsequently extended pursuant to Section 42 of the Planning and Development Act 2000 on 14/06/11. This existing permission includes for 48 no 2 and 2 1/2 storey (2 storey with habitable attic space) housing units, arranged as terraces, semi-detached and detached units, and 16 no apartments arranged in 5 no 3 storey blocks. This subject application includes for the replacement of 5 previously approved 3 storey apartment blocks with 13 no 2 storey houses, minor modifications

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to 10 previously approved houses and the provision of front gardens to 3 existing houses, all as described in detail below:

(a) Omission of 5 previously approved 3 storey apartment blocks comprising 16 apartments, and replacement with 13 proposed 2 storey, 3 bedroom semi-detached and detached houses (numbers 12-17 incl., and 25-31 incl.) all located along southern boundary with Adamstown Link Road;

(b) Amendments to previously approved terrace type houses located along the northern boundary to provide 10 proposed 2 storey, 3 bedroom mix of terrace, semi-detached & detached houses (numbers 9-11 & 18-24 incl.);

(c) Reconfiguration of shared residential car parking to public front of previously approved houses and apartment blocks to provide private front gardens and within curtilage car parking for 26 houses (Including existing houses numbers 4,6 & 8 and proposed houses 9-11 incl., 12-17 incl., and 18-31 incl.);

(d) Revision to House Type 1 to include single storey returns to rear of 11 houses (numbers 9- 13 incl., 18,19,24,25,30 & 31) and site development works including boundary walls and landscaping.

SDCC Decision: Grant Permission, subject to conditions.

SD08A/0581 - Tullyhall Mews & Tullyhall Drive, Lucan, Co Dublin

Permission sought for 16 no. 3 storey, 4 bed houses and associated site works in place of the 16 apartment units in 3 storey buildings, and change house type 4 (nos 15, 20, 38, 41 and 59) from 3 storey, 4 bed houses to 2 storey, 4 bed houses which were permitted under permission SD05A/0274, on lands off Tullyhall Green and Tullyhall Drive.

SDCC Decision: Grant Permission, subject to conditions.

SD08A/0581/EP - Extension of Duration of Permission Refused

SD05A/0274 & PL06S.216131 - Lands south of Tullyhall and north of, the Main Dublin Cork Railway Line, Esker South, Lucan, Dublin.

Development now comprises the following: 58 no. 2 storey houses of which 6 have detached single storey garages, 16 apartment units arranged in 5 no. 3 storey blocks. All at site comprising 2.87 hectares.

SDCC Decision: Grant Permission, subject to conditions.

SD05A/0274EP – Extension of Duration of Permission Granted – Development to be completed by 4th August 2016.

SD04A/0964 & PL06S.211506 - Construction of the Adamstown Link Road linking the proposed development of Adamstown in the west with the Outer Ring Road (Adamstown Roundabout) in the east.

SDCC Decision: Permission Granted, subject to conditions

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Enforcement History

None recorded for the subject site.

Pre-Planning Consultation

None for this development.

Relevant Policy in South Dublin County Development Plan 2016 – 2022

Section 2.3.0: Quality of Residential Development

Policy H11 Residential Design and Layout

Policy H11 Objective 1

Policy H13 Private and Semi-Private Open Space

Policy H13 Objective 3

Policy H14 Internal Residential Accommodation

Policy H14 Objective 1:

To ensure that all residential units and residential buildings are designed in accordance with the relevant quantitative standards, qualitative standards and recommendations contained in Sustainable Urban Housing: Design Standards for New Apartments (2015), the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the companion Urban Design Manual and have regard to the standards and targets contained in Quality Housing for Sustainable Communities (2007), particularly the standards and recommendations that relate to internal amenity/layout, overall unit size, internal room sizes, room dimensions, aspect, sound insulation, communal facilities, storage, sustainability and energy efficiency.

Policy H15 Privacy and Security

Policy H15 Objective 3

Policy H15 Objective 4

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

Policy H17 Residential Consolidation

Policy H17 Objective 1

Policy H17 Objective 2

Policy H17 Objective 5

Section 7.1.0: Water Supply & Wastewater

Policy IE1 Water & Wastewater

Policy IE1 Objective 7

Section 7.2.0: Surface Water & Groundwater

Policy IE 2 Surface Water & Groundwater

Policy IE2 Objective 5

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Section 11.3.0: Land Uses

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 Developments:

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.*

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,*
- *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.*

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Section 11.4.2: Car Parking Standards

Section 11.8.1: Environmental Impact Assessment

Section 11.8.2: Appropriate Assessment

Relevant Government Guidelines

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

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

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).

Quality Housing for Sustainable Communities: Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Wastewater Treatment and Disposal Systems Serving Single Houses Environmental Protection Agency (November 2009).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG (2009).

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

Assessment

The main issues for assessment are

- Zoning and Council Policy
- Visual Impact and Residential Amenity
- Vehicular Access and Parking
- Drainage and Water Services
- Parks and Public Realm
- Environmental Impact Assessment
- Appropriate Assessment.

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Zoning and Council Policy

The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. New residential development is permissible in principle under this zoning objective. The proposed development is permissible in principle, subject to its being in accordance with the relevant provisions of the South Dublin County Development Plan 2016 – 2022, with specific reference to section 11.3.2 (ii) – 'Corner/Side Garden Sites'.

Criteria for Corner/Side Garden sites

Under section 11.3.2 (ii) of the South Dublin County Development Plan 2016 - 2022, development on corner and/or side garden sites should meet certain criteria for development. These are assessed below:

“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 site is considered to be of sufficient size to accommodate an additional dwelling, in principle.

“The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings,”

The proposed development matches building line to the front and rear. The proposed roof profile is pitched and matches that of adjacent properties along Tullyhall Mews.

Section 11.3.2 of the Development Plan also states that:

“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,”

The proposed development is similar to existing developments in terms of its architectural language, it is noted and welcomed by the Planning Authority that the fenestration pattern and levels broadly match that of existing dwellings along Tullyhall Mews. This aids in creating a sense of harmony with the receiving streetscape.

The receiving context of the subject site includes the public realm of Adamstown Avenue along the southern boundary and the footpath adjacent to the western boundary providing pedestrian access from Tullyhall Mews onto Adamstown Avenue. It is noted that the proposed development appears to include a 1.8m high wall running the length of the southern boundary and no detail is provided in relation to the boundary treatment along the western boundary adjacent to the pedestrian link to Adamstown Avenue. Having regard to the receiving context and the prominent location of the

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subject site adjacent to the public realm, a concern arises in relation to the proposed boundary treatment and the reduced potential for passive surveillance. In this regard the Applicant should be requested to provide ADDITIONAL INFORMATION demonstrating a more appropriate boundary treatment to the southern boundary which creates a greater interaction with the public realm and increases the potential for passive surveillance. It is considered that the southern boundary wall forward of the building line of the proposed dwelling should be lowered to a maximum height of 1.2m and topped with a 0.6m high railing. The boundary can step up in height adjacent to the side and rear of the dwelling 1.8m high, provided additional fenestration is added at first floor level to increase passive surveillance to the adjacent public realm. This is outlined further in the forthcoming section. Clarification is also required in relation to the proposed boundary treatment along the western boundary, noting that the dwellings along Tullyhall Mews do not include boundary walls to the front and that low level planting would be considered acceptable to ensure that passive surveillance is maintained adjacent to the footpath and pedestrian link to Adamstown Avenue.

“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”

The proposed development does not include a forward projection and the proposed height matches that of adjacent properties along Tullyhall Mews.

“Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain.”

The subject site is located towards the southern end of Tullyhall Mews with dual frontage onto Adamstown Avenue also. The side (southern) elevation includes one window centred in the upper section of the southern gable. Whilst this is welcomed by the Planning Authority, it is not clear from the drawings provided to which room this window relates. Furthermore, the Planning Authority considers that the proposed layout of the dwelling offers greater opportunity for further fenestration to be included, resulting in increased passive surveillance of the adjacent public realm. In this regard, the Application should be requested by way of ADDITIONAL INFORMATION to re-design the southern elevation to include at least one window at first floor level. As previously outlined, the boundary treatment along the southern boundary should also be re-designed to increase the potential for passive surveillance.

Overall, the proposed development is largely consistent with the policies and objectives set out in Section 11.3.2 of the Development Plan regarding residential consolidation. However, ADDITIONAL INFORMATION is required to facilitate greater passive surveillance of the public realm adjacent to the southern boundary of the subject site.

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Visual Impact and Residential Amenity

The proposed development provides for a detached 2 No. storey three bedroom house with a pitched roof profile and an estimated Gross Floor Area of 138.68 sq m.

The proposed dwelling matches the building line to the front and rear created by the dwellings along Tullyhall Mews and the pitched roof rises to a ridge height of approximately 8.6m which appears to match that of adjacent dwellings along Tullyhall Mews. A separation distance of approximately 1.2m to the party boundary with No. 13 Tullyhall Mews. Whilst this is slightly less than the separation distance between dwellings elsewhere along Tullyhall Mews, it is noted that there are no significant windows at first floor level of No. 13 which would be adversely impacted.

It is noted that the rear boundary of the property directly adjoins the rear garden of No. 26 Tullyhall Close. However, owing to the orientation of the rear garden and the 11m separation distance between the proposed dwelling and the rear boundary, it is considered that the proposed dwelling will not adversely impact the residential amenity of No. 26 Tullyhall Close.

It is noted that 3 No. windows are proposed in the side (northern) elevation, adjacent to the party boundary with No. 13 Tullyhall Mews. However, given that these windows are associated with non-habitable rooms i.e., ground and first floor bathrooms and the stairwell, it is considered appropriate that, should the Planning Authority be minded to Grant Permission, a CONDITION be attached requiring these windows to be subject to opaque glazing.

As previously noted, only 1 No. window is proposed in the side (southern) elevation facing towards the public realm along Adamstown Avenue. Having regard to the content of Section 11.3.2 of the Development Plan and requirement for passive surveillance of the adjacent public realm, the Applicant should be requested to re-design the proposed development to include at least 1 No. window at first floor level of the southern elevation. This can be achieved by way of a request for ADDITIONAL INFORMATION.

In relation to privacy, Section 11.3.1(v) of the Development Plan states:

'Section 10 of the Urban Design Manual (2009) addresses privacy and amenity. A separation distance of 22 metres should generally be provided between directly opposing above ground floor windows to maintain privacy. Reduced distances will be considered in respect of higher density schemes or compact infill sites where innovative design solutions are used to maintain a high standard of privacy.'

Having regard to the content of Section 11.3.1(v) of the Development Plan, the separation distance between the front and rear elevations of the proposed dwelling and the site boundary and the receiving context of the subject site, the siting of the proposed dwelling is considered acceptable.

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Overall, the Planning Authority is satisfied that the proposed dwelling can be absorbed into the receiving context of the subject site with minimal impact on the visual and residential amenity of surrounding properties and the adjacent streetscape.

Internal Layout of Proposed Dwelling

The internal layout and floor areas of the proposed dwelling accords with the recommendations in Chapter 5 of the '*Quality Housing for Sustainable Communities: Best Practice Guidelines (2007)*', regarding target areas for gross floor area, living areas and bedrooms.

However, it is noted that, other than a small hotpress no dedicated storage areas appear to be indicated on the drawings provided by the Applicant. According to table 5.1 of the '*Quality Housing for Sustainable Communities: Best Practice Guidelines (2007)*', a minimum of 6 sq m is storage space is required. The Planning Authority is satisfied that, given the larger size of the living and kitchen areas, a minimum of 6 sq m could be created by CONDITION requiring a slight re-configuration of the internal layout.

Private Amenity Space

The existing property at No. 13 Tullyhall Mews would be divided in order to provide for the proposed dwelling. In these circumstances, the Planning Authority is required to be satisfied that both the proposed dwelling and the existing dwelling would benefit from adequate residential amenity.

The minimum standard private open space for three bedroom house is 60 sq m, as outlined in Table 11.20 of the County Development Plan. The proposed development exceeds this requirement, providing approximately 97.9 sq m of private amenity space to the rear of the proposed dwelling.

Vehicular Access and Parking

The Roads Department have provided a Report which indicates that the following ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development:

- Applicant to provide a drawing showing relocated parking spaces that enable vehicles to turn on curtilage and leave the driveway forward facing.
- Applicant to provide an AutoTRAK dwg showing these safe access and egress movements can be achieved.

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Drainage and Water Services

The Drainage and Water Services Department and Irish Water have assessed the proposed development and indicated that 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 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 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. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.
- The Applicant shall include SuDS (Sustainable Drainage Systems) features for the proposed development. SuDS (Sustainable urban Drainage Systems) features for the proposed development may include but are not limited to the following:
 - Permeable Paving
 - Rain Gardens
 - Planter boxes with overflow connection to the public surface water sewer.
 - Grasscrete
 - Green Roofs
 - Water Butts

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Parks and Public Realm

The Parks and Public Realm Department have assessed the proposed development and have indicated no objection, subject to the following conditions:

- Prior to the commencement of Development, a landscape plan and associated planting plan shall be submitted to the Planning Authority. The Landscape Plan shall include details of hard and soft landscaping. The Landscape Plan shall be implemented in full, within the first planting season following completion of the development. The Landscape Plan to include a detailed Planting Plan and Planting Schedule stating species/varieties, indicative quantities, sizes, rootball presentation and spacings. Planting mixes should contain pollinator-friendly native species (in accordance with the All-Ireland Pollinator Plan 2015-2020).
- The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant shall submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample SuDS devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others. The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

Screening for 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 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 of a single dwelling.

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.

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Conclusion

The proposed development is acceptable in principle having regard to the zoning objective of the subject site and the policies and objectives of the South Dublin County Development Plan. However, **ADDITIONAL INFORMATION** is required in relation to the access and parking arrangements and the drainage and water services infrastructure 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. Re-design

The Applicant is requested to provide amended site layout, plan, elevational and sectional drawings demonstrating:

(i) The addition of at least one window to the southern elevation at first floor level of the proposed dwelling, as it would result in increased passive surveillance to the adjacent public realm.

(ii) Details of the boundary treatment along the southern boundary demonstrating that the southern boundary wall forward of the building line of the proposed dwelling shall be lowered to a maximum height of 1.2m and topped with a 0.6m high railing (similar to existing) . Clarification shall also be provided in relation to the proposed boundary treatment along the western (front) boundary, noting that low level planting would be considered appropriate in this location to ensure passive surveillance of the pedestrian link to Adamstown Avenue.

2. The Applicant is requested to provide the following information in relation to the vehicular access arrangements for the proposed dwelling:

(i) A drawing showing relocated parking spaces that enable vehicles to turn on curtilage and leave the driveway forward facing.

(ii) A drawing showing AutoTRAK Analysis which demonstrates safe access and egress movements can be achieved.

3. The Applicant is requested to provide the following information in relation to the drainage and water services infrastructure design for the proposed dwelling:

(i) The applicant is requested 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.

(ii) The applicant is requested 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.

(iii) The applicant is requested to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and

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Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

(iv) The Applicant shall include SuDS (Sustainable Drainage Systems) features for the proposed development. SuDS (Sustainable urban Drainage Systems) features for the proposed development may include but are not limited to the following:

- Permeable Paving
- Rain Gardens
- Planter boxes with overflow connection to the public surface water sewer.
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REG. REF. SD22A/0118

LOCATION: 13, Tullyhall Mews, Lucan, Co. Dublin

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: 16/6/22

Eoin Burke
Eoin Burke, Senior Planner