

Comhairle Chontae Atha Cliath Theas

PR/0779/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0122 **Application Date:** 25-Apr-2022
Submission Type: New Application **Registration Date:** 25-Apr-2022

Correspondence Name and Address: Peter Pearson Evans Architect 24, Woodlands Avenue,
Dun Laoghaire, Co. Dublin, A96 E3C4

Proposed Development: Extension at first floor level to rear of existing first
floor level apartment consisting of three bedrooms,
two bathrooms, roof terrace and solar panels.

Location: 14, Kennelsfort Road Lower, Palmerstown, Dublin 20

Applicant Name: Melanie Lee

Application Type: Permission

(SW)

Description of Site and Surroundings:

Site Area: stated as 0.0262 ha

Site Description:

The site contains a mid terrace property. The ground floor is in retail use and the upper floor is in residential use. The property is part of a parade of shops on Kennelsfort Road Lower. Residential development is situated on the north west side of Kennelsfort Road. There is an existing laneway extending from Nos 8/10 Kennelsfort Road Lower to the rear of No 16, providing access to the rear of the property. There is a bus stop outside the property.

Proposal:

Extension at first floor level to rear of existing first floor level apartment consisting of three bedrooms, two bathrooms, roof terrace and solar panels.

Zoning:

The subject site is subject to zoning objective VC - *'To protect, improve and provide for the future development of village centres'* under the South Dublin County Council Development Plan 2016-2022.

Consultations:

Water Services – No objections, subject to conditions.

Roads – No objections, subject to conditions.

Parks – No report received at time of writing.

Irish Water – No objections, subject to conditions.

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TII – No observations.

SEA Sensitivity Screening

No overlap with relevant environmental layers.

Submissions/Observations /Representations

None received.

Relevant Planning History

Application site:

None.

Adjacent sites:

SD12A/0207 Retention of the change of use of part of the ground floor of a retail unit from an auctioneer's office to a funeral directors' office. **Grant Permission for Retention**

ED11/0038 Continuation of existing office use. **Declared not exempt**

Relevant Enforcement History

None traces to subject site

Pre-Planning Consultation

None for this proposal.

PP123/19 change of use of part of the ground floor from retail space to residential use. Together with recreational garden space and off street car parking. The development will remain the existing two bed first floor apartment and will provide an additional two 1-bedroom apartments and one duplex 2-bedroom apartment

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

Policy H13 Private and Semi-Private Open Space

Policy H15 Privacy and Security

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

Policy H17 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.

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

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on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

Objective 5: To ensure that new development in established areas does not impact negatively on the amenities or character of an area.

Policy H18 It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

H18 Objective 1: 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 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 (iii) Backland Development

Backland Development should meet the following criteria:

- *The design of development on backland sites should meet the criteria for infill development in addition to the following criteria:*
- *Be guided by a site analysis process in regard to the scale, siting, and layout of development.*
- *Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area.*
- *Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking.*
- *Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.*

Section 11.3.2 (iv) Dwelling Sub-Division and Upper Floors Dwelling sub-division and 'over the shop' accommodation should accord with the relevant guidelines and standards contained in this Development Plan relating to apartments and contribute positively to the established character and amenities of the area. The design of 'over the shop' housing should include mitigation measures to address possible sources of external noise. A separate, distinctive point of entry with an identifiable address should also be provided. Dwelling sub-divisions should preserve the established character and amenities of the area.

At the discretion of the Planning Authority and subject to appropriate safeguards to protect residential amenity, reduced internal space, open space and car parking standards may be considered in exceptional circumstances for dwelling subdivisions or 'over the shop'

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accommodation, subject to compensating amenity features that maintain the residential amenities of the development and/or the area.

11.3.3 (i) Extensions The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards

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

The House Extension design guide contains the following guidance on house extensions, including in particular:

- *Respect the appearance and character of the area;*
- *Provide comfortable internal space;*
- *Do not overlook, overshadow, or have an overbearing impact on neighbouring properties;*
- *Conserve water and save energy where possible;*

For rear extensions:

- *Match or complement the style, materials, and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat-roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*
- *Do not create a higher ridge level than the roof of the main house.*
- *The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

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).

Apartment Guidelines (2020)

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Assessment

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity,
- vehicular access and car parking,
- services and drainage.

Zoning and Council Policy

The site is located in an area which is zoned 'VC' '*To protect, improve and provide for the future development of village centres*'. Residential development is permitted in principle under Zoning Objective 'VC'.

The proposal relates to the extension of an upper floor apartment, as such, the policies which favour the development of apartments at upper floors of existing commercial premises are not applicable (e.g., section 11.3.2 (iv) of the CDP).

As the proposal is not a house, but rather an apartment, the 'House Extension Design Guide' is also not applicable.

Whilst not providing individual new units, the proposal is for development to the rear of existing premises and is, therefore, considered 'backland'. Policy H17 is therefore considered relevant in this instance. The Apartment Guidelines are also considered to be relevant in this instance.

Residential & Visual Amenity

The proposed development would take place to the rear of the first floor flat and would be situated on top of the existing flat roof retail premises. A hall (including small w/c), with a terrace and open areas either side, that would connect from the existing flat to the proposed extension to the rear. The total length of the proposed extension is approximately 12.3m. The area of the terrace would be approx. 3.3m long. The extension would be 7.25m wide. The hall area would have a flat roof with an overall height of 2.3m, as would the rear section (internal height would be 2.2m). The central section would be pitched with an overall height of 3.3m. The internal height of this element would be 2.4m. An area of incidental green space would be provided to the rear. It is noted that the terrace would have an obscure glazed privacy panel, as would the small area of open green space to the northeast side of the hall & w/c.

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Residential Amenity – Adjacent Properties

The guidance states:

A separation distance of 22 metres should generally be provided between directly opposing above ground floor windows to maintain privacy.

In this instance, windows are proposed on the northwest and southeast elevation only. Opaque glazing would be provided on the side elevations. It is noted that there are no residential properties to the rear of the proposed development. There are therefore no windows within 22m of the windows proposed for this development.

The proposal is at the first floor and therefore does not impact the amenity space for the existing flat and it is noted that there is no dedicated open space at present.

As it would take place at first floor, the extension would have a height of 5.75m to eaves and an overall height of 6.75m. It is noted that the majority of the built development does not commence until after the 3.3m hall / amenity area, however, given the overall height, length, and width of the proposed development, it is considered that it would have an overbearing impact and could result in overshadowing. It is noted that the use of the upper floors of the adjacent buildings is unknown, however, the submitted plans indicate a garden area at No16.

Given that the use of the upper floors of the shopping parade is unknown, there is potential for the proposed development to have a negative impact.

The proposal, in its current form, is considered to have an unacceptable impact on the adjacent occupiers. The applicant is, therefore, requested to provide a revised proposal via **additional information**. This revision should:

- reduce the rearwards projection of the extension at first floor to ensure it does not fall within 45degrees of the habitable windows of the adjacent properties
- provide an adequate level of screened amenity space to the rear of the proposed extension.
- provide internal floor to ceiling height of no less than 2.4m to ensure the proposed extension is habitable.
- provide a schedule of how the revised apartment is in keeping with *Sustainable Urban Housing: Design Standards for New Apartments* (2020)

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Residential Amenity – Future Occupiers

It is noted that the existing flat would be reorganised, and the proposed development would provide the following space:

- Total floor area – 140sq.m
- Kitchen / living / dining – approx. 7.75m x 4.8m and 2.3m x 2.5x (42.95sq.m)
- w/c 1.3m x 2.3m (2.99sq.m) – internal height 2.2m
- Storage – 1.8m x 0.7m (1.26sq.m)
- Bathroom – 2.1m x 2.2m (4.62sq.m)
- Bed 1 – 3m x 3m (9sq.m) 2.4m internal height
- Bed 2 – 3.4m x 3.1m (10.54sq.m) 2.4m internal height (additional area approx. 6sq.m with lower internal height)
- Bed 3 – 2.8m x 3.5m (9.8sq.m) 2.4m internal height (additional area approx. 4.25sq.m with lower internal height)
- Terrace – 10.2sq.m

In accordance with the apartment guidelines:

- SPPR 3: 3-bedroom apartment (5 persons) 90 sq.m
- Appendix 1:

Apartment type ***	Width of living/dining room	Aggregate floor area of living / dining / kitchen area*
Three bedrooms	3.8 m	34 sq m

Type	Minimum width	Minimum floor area
Studio	4m**	30 sq m**
Single bedroom	2.1 m	7.1 sq m
Double bedroom	2.8 m	11.4 sq m
Twin bedroom	2.8 m	13 sq m

- Minimum aggregate bedroom floor areas 31.5sq.m
- Minimum storage space requirements 9 sq.m
- Minimum floor areas for private amenity space 9 sq.m
- Minimum floor areas for communal amenity space 9 sq.m

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It should be noted that bedrooms 2 and 3 would only meet the minimum requirements for double and twin bedrooms respectively if the area with lower internal height was included. The minimum storage area would not be met. There are also concerns that not all the internal areas would have what is considered to be a habitable height.

Overall, there are concerns regarding the level of amenity for the future occupiers of the property.

As stated above, relevant revisions have been requested via **additional information**.

Design and Impact on Streetscene

It is noted that the house extension design guide is not applicable in this instance. Whilst the proposal would not create additional units, it is considered that the policy relating to backland development is relevant in this instance.

Section 11.3.2 (iii) Backland Development:

- The design of development on backland sites should meet the criteria for infill development in addition to the following criteria:
- Be guided by a site analysis process in regard to the scale, siting, and layout of development. ***It is noted that no analysis has been provided.***
- Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area. ***The proposal would not be in keeping with the established pattern of development of the area.***
- Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking. ***There are potential overshadowing impacts, due to the extent of the development at first floor***
- Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity. ***Accessibility is sufficient.***

By virtue of the fact that the proposal is a two storey development to the rear of the shopping parade, it is considered that it is not in keeping with the character and appearance of the area.

As stated above, a revised proposal may be more in keeping with the character of the area.

Vehicular Access & Parking

The Roads Department has stated that there are no objections, subject to the following conditions:

1. *The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
2. *The vehicular access point shall not exceed a width of 3.5 meters.*
3. *Any gates shall open inwards and not outwards over the public domain.*

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4. *All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*
5. *The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.*

It is noted that the proposed development is in a village centre location. A number of the conditions in the Roads report are not applicable.

Services & Drainage

Water Services and Irish Water have raised no objections to the proposed development, subject to conditions.

Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2016-2022, it is considered that proposed development would adversely impact on the residential and visual amenities of the area. The applicant is, therefore, requested to submit a revised proposal to extend the flat, via **additional information**, which has an acceptable impact.

Recommendation

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

1. The proposal, in its current form, is considered to have an unacceptable impact on amenity. The applicant is, therefore, requested to provide a revised proposal. This revision should:
 - Reduce the rearwards projection of the extension at first floor to ensure it does not fall within 45degrees of the habitable windows of the adjacent properties
 - Provide an adequate level of screened amenity space to the rear of the proposed extension.
 - Provide internal floor to ceiling height of no less than 2.4m to ensure the proposed extension is habitable.
 - Ensure there are no windows on the side elevations.
 - Provide a schedule indicating how the revised apartment is in keeping with Sustainable Urban Housing: Design Standards for New Apartments (2020)

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REG. REF. SD22A/0122

LOCATION: 14, Kennelsfort Road Lower, Palmerstown, Dublin 20

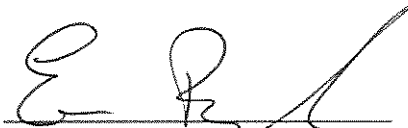
Colm Harte

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:

20/6/22


Eoin Burke, Senior Planner