

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0262 **Application Date:** 01-Jun-2022
Submission Type: New Application **Registration Date:** 01-Jun-2022
Correspondence Name and Address: Sorin Ursu 45, Arthur Griffith Park, Lucan, Dublin
Proposed Development: Construction of 2 storey end of terrace house to side of existing house, removal of existing chimney stack, new entrance drive with double gates to side boundary wall and a new front door to replace existing window at front in existing porch.
Location: 45, Arthur Griffith Park, Lucan, Dublin
Applicant Name: Sorin Ursu
Application Type: Permission

(SW)

Description of Site and Surroundings:

Site Area: Stated as 0.0117 Hectares

Site Description:

The site is situated on the corner of Arthur Griffith Park, Lucan. It consists of an end of terrace dwelling with a garden to the side. There is a vehicle access point to the front of the existing dwelling. The area is characterised by terraced houses. There is a laneway with houses beyond to the rear and a green to the front.

Proposal:

The proposed development involves:

- Construction of 2 storey end of terrace house to side of existing house,
- removal of existing chimney stack,
- new entrance drive with double gates to side boundary wall and
- a new front door to replace existing window at front in existing porch.

Zoning:

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

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

Consultations:

Irish Water: Additional information requested.

Water Services: Recommend Refusal

Roads Department: Recommend Refusal

Parks Department: No report received at time of writing.

SEA Sensitivity Screening

No overlap.

Submissions/Observations

None.

Recent Relevant Planning History

None.

Recent Relevant Enforcement History

s8952 structure to the rear that may require planning permission **Live**

Pre-Planning Consultation

None.

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

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 H17 Objective 2:

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

Section 11.2.7 Building Height

Section 11.3.1 Residential

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

Section 11.3.1 (iv) Dwelling Standards

The design and layout of individual dwellings should provide a high quality living environment for residents. Designers should have regard to the targets and standards set out in the Quality Housing for Sustainable Communities Guidelines, DEHLG (2007) with regard to minimum room sizes, dimensions and overall floor areas when designing residential accommodation.

All houses must be required to accord with or exceed the minimum floor area standards set out in Table 11.20. Dwellings should also be designed to provide adequate room sizes that create good quality and adaptable living spaces.

Development proposals for housing must be required to accord with or exceed the minimum private open space standards set out in Table 11.20. Open space should be located behind the front building line of the house and be designed to provide for adequate private amenity.

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

Section 11.3.2 Residential Consolidation

(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).
- Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops.

- Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.

(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.

Section 11.4.2 Car Parking Standards

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).

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, (2008)

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

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013)

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

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

Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Residential and Visual Amenity
- Access and Parking
- Parks & Landscaping
- Environmental Health
- Services & 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.' Residential development is permitted in principle subject to its accordance with the relevant provisions of the County Development Plan with specific reference to Sections 11.3.1 (iv), 11.3.2 (ii) and 11.3.2 (ii), which relate to Dwelling Standards, Infill Sites and Corner Site Development. The principle of the proposed house alterations also considered acceptable.

The proposed house is considered to constitute Corner / Side Garden Development (Sc. 11.3.2 (ii), South Dublin County Council Development Plan 2016-2022). The design of development on such sites should meet the criteria for infill development in addition to the criteria set out in Section 11.3.2 (i) Infill Sites (ii) Corner/Side Garden Sites of the County Development Plan.

(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. ***The applicant has not demonstrated how the proposed development complies with this. However, it is not considered necessary in this instance, given the proposal is for a single dwelling.***

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

- 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. ***No site analysis has been provided. It is noted that the site is less than 0.5ha and the applicant has proposed a design that is consistent with the adjacent dwellings.***
- 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. ***The proposal would result in changes to the boundary treatment, but they are not considered significant in this instance.***
- Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height). ***Height is in keeping with the surrounding area.***
- Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops. ***Roads has raised concerns regarding car parking, in terms of the length of driveway provision***
- Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area. ***N/A***

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

(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 front and rear building lines are consistent with existing. Proposal would not increase impacts on 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 proposal is consistent in these regards.***
- The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony. ***The proposal is generally acceptable in terms of architecture and boundary treatments***
- Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings, ***The overall design is in keeping with existing.***
- 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 *N/A*
- Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain. ***The proposal is a corner site. Redesign would be required to provide dual frontage.***

In summary, the proposal meets the relevant policy requirements, subject to redesigning the proposal to provide dual frontage.

Residential and Visual Amenity

Internal Accommodation & Private Open Space

Quality Housing for Sustainable Communities-Best Practice Guidelines (DOEHLG 2007) and Table 11.20 of the County Development Plan set out dwellings standards. The proposal provides a single 2bed 2 storey dwelling. Bed 1 is 10.75sq.m and bed 2 is 15.5sq.m. The proposal therefore provides one single and 1 double room and is a 3person dwelling

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

Section 5.3.2 of the Quality Housing for Sustainable Communities Guidelines.	Requirement (sq.m) for a 3person 2 bedroom house (2 storey)	Provision (sq.m)
Gross Floor Area	70 (Table 11.20 of CDP is 80)	Stated as 63.125
Minimum main living area	13	N/A open plan (appears to meet standard)
Aggregate living area	28	31.6
Aggregate Bedroom Area	20	26.25
Storage	3	No storage provided.
Unobstructed Living room width	3.6	Requirement met
Double bedroom(s) width	2.8	Requirement met
Single bedroom(s) width	2.1	Requirement met
Main bedroom for house above 3 persons	13	15.5
Double bedroom area	11.4	15.5 (as above, see main bedroom)
Single bedroom area	7.1	10.75

The proposal fails to meet the required standard in a number of instances. Notably, the floor area falls below the required 70sq.m and no storage has been provided. In order to increase the floor area, significant revisions would be required. The proposal is therefore contrary to the standards contained within the Quality Housing for Sustainable Communities and Table 11.20 of the County Development Plan.

The Development Plan standards for **private open space** for a three bedroom house is a minimum of 55sq.m (Table 11.20). The proposal would provide 49 sq.m, which is below the required standard, however it is noted that the deficit is only 6sq.m.

Section 11.3.1 Residential (iv) Dwelling Standards states that open space should be located behind the front building line of the house and be designed to provide for adequate private amenity. The proposed development therefore complies **with the private open space requirements** of Sections 11.3.1 of the County Development Plan.

In relation to the existing dwelling, it is noted that an private open space area of approx. 55 sqm would be retains, which is considered acceptable in this instance.

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

Separation Distance, Overlooking, Overbearing

The proposed development would be approx. 10m from the property to the rear. There would be no directly opposing windows and therefore limited overlooking. The proposal would be of a similar scale to existing properties and would not be overbearing.

Other Alterations

There are a number of alterations proposed to the host dwelling

- removal of existing chimney stack,
- a new front door to replace existing window at front in existing porch.

These would not have any significant impacts on visual or residential amenity.

A new entrance drive with double gates to side boundary wall is also proposed. This has an acceptable impact in terms of visual amenity, however, there are concerns regarding residential amenity, as set out in the roads report below.

Access and Parking

The Roads Department has issued a report recommending refusal. An extract taken from the Roads report states the following:

“Access:

The proposed new vehicular access is from the section of Arthur Griffith Park to the East of the property. This section of road is a cul-de-sac but the proposed access is close to a multiple-road junction which includes a busy primary entrance to the Arthur Griffith Park Estate. The entrance is proposed to have inward opening double gates. The applicant has not indicated the entrance width.

Car Parking:

The car parking area seems to be for 1 No. vehicle. However, the length of the car parking space is 5250mm which is below the minimum length of 6000mm recommended by SDCC Roads Department which could result in vehicles protruding onto the footpath causing an obstruction for pedestrians.

The Roads Department has considered vehicular access at the front boundary of the property; however this would be too close to a busy and constrained junction and would constitute a traffic hazard.

Visibility:

The layout of the car parking area in relation to the proposed house would result in inadequate visibility for cars egressing the property. There would be no sightline to the right (when exiting in a forward direction) which would endanger public safety by reason of a traffic hazard”.

As stated, **refusal** is recommended

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

Parks and Landscaping

The Parks Department has not provided comments in this instance. It is noted that there are no street trees adjacent to the site.

Services and Drainage

The Water Services Department has recommended refusal, stating:

“Proposed development is at or over an existing 225mm surface water sewer west of site. There should be a minimum set back distance of 3m to allow access for maintenance and prevent load transfer to surface water sewer from building.

There are no SuDS (Sustainable Drainage systems) proposed for the development.

There is no drawing surface water layout proposed for the development.

Therefore:

Water Services recommend refusal for proposed development because it would be prejudicial to public health and proper planning. There is no setback distance of three meters to proposed development and the development is proposed to be right at or directly over existing 225mm surface water sewer. This would prevent access for maintenance of existing surface water sewer and endanger pipe integrity because of load transfer from building to surface water sewer west of site”.

Conditions are recommended relating to flood risk.

Irish Water has requested additional information relating to distance from watermain, foul layout and securing a letter of confirmation of feasibility.

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.

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

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.

Other Considerations

Development Contributions

- 1 No 2-bed, 2 storey house measuring 63.125sq.m
- Assessable area is 63.125sq.m.

SEA Monitoring Information

- **Building Use Type Proposed** Residential – new dwelling
- **Land Type** Brownfield/Urban Consolidation
- **Floor Area (sq.m)** 63.125
- **Site Area (Ha.)** 0.0117

Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2016-2022 and Quality Housing for Sustainable Communities-Best Practice Guidelines (DOEHLG 2007), it is not considered that the proposal for house in the side garden of No45 Arthur Griffith Park meets the prescribed requirements satisfactorily. It would also result in a traffic hazard and would be prejudicial to public health. The proposal would, therefore, have an adverse impact on the residential amenities of the area and would not be in accordance with the proper planning and sustainable development of the area. It is not considered that the proposed development would be in compliance with Council policy.

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. The proposed development, with an internal floor area of 63.125sq.m and no independent storage provision, would fail to meet the minimum standards for a 2 storey, 2bed 3person house, therefore resulting in an unacceptable standard of residential amenity for future occupiers and would be contrary to Section 11.3.1(iv) and Table 11.20 of the South Dublin County Council Development Plan 2016 - 2022 and Quality Housing for

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

Sustainable Communities-Best Practice Guidelines (DOEHLG 2007). The proposal would comprise an unacceptable form of development that would fail to meet the requirements of Section 11.3.2 of the South Dublin County Council Development Plan 2016 - 2022 and would be contrary to the residential zoning objective and the proper planning and sustainable development of the area.

2. The applicant has failed to provide adequate visibility at the proposed vehicular entrance and has also failed to provide sufficient space for the proposed on-curtilage parking. Having regard to the information submitted in relation to car parking and access for the proposal on the site, the Planning Authority is not satisfied that the proposed development would not give rise to traffic hazard. This is contrary to the provisions of the County Development Plan and the sustainable development of the area.
3. The applicant has failed to provide the required setback distance of three meters from proposed development and the existing 225mm surface water sewer. This would prevent access for maintenance of existing surface water sewer and endanger pipe integrity due to load transfer from building to surface water sewer west of site. The proposal would therefore be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
4. The applicant has failed to provide information regarding:
 - sustainable drainage systems;
 - the distance between the boundary wall of the proposed house and the outside diameter of the existing watermain west of the site;
 - the foul drain layout up to and including the point of connection to the public sewer.Due to the inadequate information submitted, the Planning Authority is not satisfied that the proposed development would not be prejudicial to public health and the proposal would be contrary to the Green Infrastructure policies in the South Dublin County Development Plan 2016-2022.

Comhairle Chontae Atha Cliath Theas

PR/0970/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0262

LOCATION: 45, Arthur Griffith Park, Lucan, Dublin

Colm Harte

Colm Harte,
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:

2/8/22



Eoin Burke, Senior Planner