

# Comhairle Chontae Atha Cliath Theas

**PR/0962/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0263      **Application Date:** 02-Jun-2022

**Submission Type:** New Application      **Registration Date:** 02-Jun-2022

**Correspondence Name and Address:** James Bryan 1307, Kill West, Kill, Kildare

**Proposed Development:** Sub-division of existing site to allow for the construction of a new 2 storey, 3 bedroom detached dwelling with a pedestrian access gate in the side boundary wall, all to the side of the existing dwelling and all associated site works.

**Location:** 79, Moy Glas Chase, Lucan, Dublin

**Applicant Name:** Ger and Gillian Fox

**Application Type:** Permission

(EW)

### **Description of Site and Surroundings:**

Site visit: 22/06/2021

Site Area: 0.0358 ha

#### **Site Description:**

The site is a two-storey semi-detached house on a corner site located at the intersection of Moy Glas View, Moy Glas Chase and Moy Glas vale within a cul de sac setting. The streetscape is characterised by two storey dwellings with front and rear gardens within a cul de sac. The site is screened however faces the Ballyowen Road to the east of the site.

#### **Proposal:**

- Sub-division of existing site to allow for the construction of a new 2 storey, 3 bedroom detached dwelling with a pedestrian access gate in the side boundary wall, all to the side of the existing dwelling and all associated site works.

#### **Zoning:**

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

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### **Consultations:**

<i>Surface Water Drainage:</i>	Additional Information Requested.
<i>Irish Water:</i>	Additional Information Requested.
<i>Roads:</i>	No objections subject to conditions.
<i>Parks:</i>	No report received.
<i>SEA Sensitivity Screening -</i>	No overlap indicated.

### **Submissions/Observations /Representations**

Submissions were received from a neighbouring third party. The main issues raised are summarised below:

- Concerns that the house will overlook neighbouring property No.64 Moyglass View to the rear (west) of site.
- Concerns the property could be a rental property and affect an area that is owner occupied.
- Concerns that the property will worsen the parking situation that is already an issue.
- Concerns the side entrance will impact the road and play space for children.

The issues raised in the third-party submissions have been considered in assessing this planning application.

### **Relevant Planning History**

None for subject site.

### **Adjacent sites**

Non recently relevant to subject application.

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None recorded for subject site.

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### Relevant Policy in South Dublin County Council Development Plan 2022 - 2028

#### **13.5.4 Residential Standards As outlined in Chapter 6:**

*Housing, the design and layout of individual dwellings should provide a high-quality living environment for residents in new-build residential schemes. Designers should have regard to the standards set out in this Chapter, and details regarding room sizes, dimensions and overall floor areas when designing residential accommodation standards set out in the:*

- *Quality Housing for Sustainable Communities Guidelines, DEHLG (2007),*
- *The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the companion Urban Design Manual – A Best Practice Guide, DEHLG (2009),*
- *Sustainable Urban Housing: Design Standards for New Apartments (2020), To demonstrate compliance with the housing and apartment standards set out below, all planning applications shall be accompanied by a Schedule of Accommodation and Housing Quality Assessment document in line with Section 6 of the Sustainable Urban Housing: Design Standards for New Apartments, 2020*

#### Separation Distances and Block Layout

- Privacy and Security Considerations
- Dual Aspect
- Sunlight / Daylight

#### **13.5.8 Residential Consolidation**

- Infill Sites
- Corner/ Side Garden Sites

Development on corner and/or side garden sites should be innovative in design appropriate to its context and should meet the following criteria:

- *In line with Policy 15: Residential Extensions, the site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings ensuring no adverse impacts occur on the residential amenity of adjoining dwellings,*
- *Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain.*
- *The dwelling(s) should generally be designed and sited to match the front building line and respond to the roof profile of adjoining dwellings where possible.*
- *Proposals for buildings which project forward or behind the prevailing front building line, should incorporate transitional elements into the design to promote a sense of integration with adjoining buildings.*

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- *The architectural language of the development (including boundary treatments) should generally 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.*
- *A relaxation in the quantum of private open space may be considered on a case-by-case basis whereby a reduction of up to a maximum of 10% is allowed, where a development proposal meets all other relevant standards and can demonstrate how the proposed open space provision is of a high standard i.e., an advantageous orientation, shape, and functionality.*
- *Any provision of open space to the side of dwellings will only be considered as part of the overall private open space provision where it is useable, good quality space. Narrow strips of open space to side of dwellings shall not be considered as private amenity space.*
- Backland Development

### **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 (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).*

*Urban Development and Building Heights: Guidelines for Planning Authorities, (2018).*

*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).*

*Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment, (1991).*

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### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity,
- Vehicular entrance,
- Services and drainage and Flood Risk.

### ***Zoning and Council Policy***

The development comprising a side and rear extension is consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity,' subject to the relevant provisions in the County Development Plan 2022-2028 and the House Extension Design Guide.

### ***Residential and Visual Amenity***

The proposed development constitutes the subdivision of an existing side garden serving a semi-detached dwelling on a side garden site. The assessment of this proposal is in context to the existing County Development Plan, it is subject to compliance with detailed policy provisions in relation to design that will be considered below.

### ***Site context***

The subject side garden site is located within an established residential area and the site is located towards the end of Moy Glas Chase; a cul-de-sac that contains an existing two storey detached dwelling to the south(side) of the site. It is noted that the site is highly visible from the north, south and west and is at the intersection of Moy Glas View, Moy Glas Chase and Moy Glas vale within a cul de sac setting. It is also noted that the boundary walls on this road are higher and give a private secluded nature to the individual dwellings and the subject site.

Having regard to the context of the subject site in the surrounding area it is noted that the 0.0358 ha site is significantly larger in size to numerous adjacent dwellings north, south and west of the site. It is deemed that infill, backland, subdivision development is conducive to this large site.

Having regards to the primary dwellings that are facing Moy Glas Chase, it is considered that the proposed infill, backland, subdivision side dwelling would not significantly detract from the character of the adjacent dwellings. The front building line of the adjacent dwellings to the south is not affected.

It is noted that the ridge height of the proposed dwelling aligns with the two-storey existing dwelling to the east of the site. A hipped roof is proposed at two hipped levels. It is considered the matching roof style proposal will harmonise with the existing dwelling. It is not considered that the proposal will have an adverse impact in terms of residential and visual amenity.

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### Dwelling size

The proposed two-bedroom dwelling is 97sq.m which is above the minimum size of 92sq.m as set out in Table 11.20 Minimum Space Standards for Houses. In this context, the proposed development is consistent with the Development Plan provisions.

### Amenity space

The dwelling provides approximately 61sq.m of private rear open space. The minimum private open space requirement in the County Development Plan is 60sq.m and in this large, subdivided site, the minimum standard is comfortably achieved. It is noted the adjoining property on this existing large site has sufficient rear garden space with an overall site total of 60sqm and in this context, it is considered that the proposed development would provide sufficient residential amenity for future occupants of the three-bed dwelling and this would comply with the Development Plan provisions.

### Room size

The minimum area of a double bedroom and master bedroom is consistent in a dwelling designed to accommodate two or more persons *as per the Quality Housing for Sustainable Communities-Best Practice Guidelines*, Department of the Environment, Heritage, and Local Government, (2007). In this proposal, the master bedroom is 12sq.m, the double is 11.16 sq.m and single is 7.98 sq.m and is considered acceptable.

### Storage

It is noted that adequate 5sq.m storage has been sufficiently provided for a two-bedroomed dwelling, it is considered that adequate storage is provided, and the proposal is consistent with the minimum storage standards for houses having regard to (*Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007*)

### Dual Frontage

The proposal is side garden development and in view of the public domain, the proposed house provides for adequate dual frontage and is consistent with Section 13.5.8 Corner/Side Garden Sites of the South Dublin County Council Development Plan 2022-2028. Adequate dual aspect windows are proposed in the proposed dwelling from the first and second floor kitchen/bedrooms and standard landing / wc facing to the north-west of the site.

It is proposed to construct the side boundary of the proposed house to the site's northern boundary to run adjacent to the pedestrian path. The active surveillance for this estate is deemed sufficient with the northwest facing dual aspect windows on the ground /first floor and the remaining proposed gable windows. The 1m wide privacy strip along the northern/side boundary is oriented within the site building line context and acceptable at a reduced size further northwest of the site.

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### **Boundary Treatment**

It is noted that the applicant proposes to use two separate entrances, separate vehicular access is deemed appropriate at this location, and additional conditions will be addressed in the Roads report below. The established existing north-facing outer boundary wall shall not be carried a further 3.6m at 2m in height; the Planning Authority deem that this proposed proportion of the wall shall be reduced to 0.9m high to avoid a tunnel effect into the estate from the west and to match the front (east-facing) wall proposal for maximum visibility that complies with the Roads Department and the South Dublin County Council Development Plan 2022-2028, this can be requested by **Additional Information.**

The proposal is recessed 0.9m away from the existing house to the south. A boundary wall to match the existing is proposed along the side building line of the proposed dwelling No. 79A. The planning authority considers that the proposal is close in proximity however the 0.9m is sufficient to for wheelie bin access to the existing house at No. 79. The proposed dwelling would access the rear garden via the pedestrian side access gate to the north and would be broadly consistent with the guidance set out in Section 13.5.8 Corner/Side Garden Sites and 13.5.4 Residential Standards/Privacy and Security Considerations of SDCC Development Plan 2022-2028.

### **Overlooking & Overbearing impact**

It is noted that this rear site has sufficient circa 10m separation distance and there are no concerns with respect to the overbearing appearance of the dwelling on neighbouring properties to the west south of the site. The proposed dwelling on the corner site would not result in any overshadowing or overlooking and would not have an adverse impact on the amenities of the adjoining properties to the west of the site at No. 64 Moy Glas due to the 9m separation from western boundary and having regard to the front / rear gardens at this location. The proposal will not provide for any directly opposing above ground floor windows with the existing dwelling and as there is no dwelling located to the rear there shall be no undue overlooking to the south of the site. This is considered acceptable.

### **Vehicular Entrance**

The Roads Department has no objection and states the following in their report:

### **Parking:**

The applicant has proposed 1 No. parking space for the proposed new house whilst increasing the parking spaces at the existing house (No. 79) to 2 No. This is an acceptable parking rate in accordance with the SDCC Development Plan. It should be noted that the entrance of the proposed new parking area for the existing property (No. 79) should not exceed the maximum width of 3.5m.

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### **Pedestrian Access:**

SDCC Roads Department objects to proposals for pedestrian accesses inside boundary walls as they can set an undesirable precedent leading to obstructions for footpath users.

### **Visibility:**

The applicant has not indicated the height of the new boundary wall between the parking areas of the existing and proposed properties. Boundary walls and gates 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 egressing the properties.

### **No Roads objections subject to the following conditions:**

1. No pedestrian access gate inside boundary wall to be installed as it would set an undesirable precedent leading to obstructions for footpath users.
2. Prior to commencement of development, the applicant is requested to submit a revised site layout showing vehicular access points limited to a width of 3.5 meters for both existing and proposed dwelling.
3. Kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
4. The boundary walls and gates 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.

The Roads Department's recommendations have been noted. The Planning Authority, in this instance, having regard to the prominent location of the site (and specifically the entrance and north facing boundary wall) considers that the entrance arrangement and boundary wall be redesigned and fully detailed by condition.

### ***Services & Drainage and Flood Risk***

Water Services request further information on the following:

**1.1** The applicant has not submitted a drawing or report to show any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is required to submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Examples of SuDS include:

- Green Roofs,
- Rain gardens
- Swales
- Permeable Paving



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- Grasscrete
- Channel Rills
- Planter Boxes and water butts
- Other such SuDS

Guidance on SuDS can be found on South Dublin County Council Website from the at: [sdcc-householders-guide-to-sustainable-drainage-suds-.pdf](#)

**1.2** If a soakaway is proposed, the applicant is required to submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway Design. The applicant is required to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

- i) At least 5m from any building, public sewer, road boundary or structure.
- i) Generally, not within 3m of the boundary of the adjoining property.
- ii) Not in such a position that the ground below foundations is likely to be adversely affected.
- iii) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- iv) Soakaways must include an overflow connection to the surface water drainage network.

**1.3** Submit a drawing showing the surface water layout of proposed development

### Flood Risk

- The Developer shall ensure that there is complete separation of the foul and surface water drainage systems within the site, both in respect of installation and use.
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

**Irish Water** request further information on the following:

1.1 Submit a drawing in plan and cross-sectional view showing the distance between the boundary wall of proposed house and the outside diameter of existing watermain North of Site.

1.2 Obtain a letter of confirmation of feasibility from Irish Water for proposed development.

1.3 Submit a drawing showing the watermain layout for proposed development.

### Foul

2.1 Submit a drawing showing the foul drain layout up to and including the point of connection to the public sewer.

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### Conclusion

Having regard to the reports from the SDCC Water Services Department and primarily Irish Water with the distance between the boundary wall of proposed house and the outside diameter of existing watermain north of Site. This corner site is located towards the end of Moy Glas Chase, at the intersection of Moy Glas View and Moy Glas vale and clarity is required prior to any development. It is considered that the information can be required by way of **Additional Information**.

### ***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 new dwelling in an established residential estate.

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.

### ***Environmental Impact Assessment***

Having regard to the modest nature of the 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.

### ***Development Contributions***

#### **Development Contributions Assessment Overall Quantum**

Proposed Dwelling: 97sq.m

Assessable Area: 97sq.m

### **SEA Monitoring Information**

Building Use Type Proposed:

Floor Area: 97sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0358 ha

### **Conclusion**

Having regard to the site location of boundary wall design and the recommendations of the Irish Water regarding the distance between the boundary wall of proposed house and the outside diameter of existing watermain North of Site, it is considered necessary to request further

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information to ensure the proposed development is compliant with Development Plan policy and the proper planning and sustainable development of the area.

### **Recommendation**

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

1. Having regard to the existing north-facing outer boundary wall, the Planning Authority deemed that the extended proposed wall for a further 3.6m at 2m in height would create a tunnel effect into the estate from the west and hinder maximum visibility and surveillance. Therefore, the north-facing outer boundary wall is considered to match the front (east-facing) wall and is requested to be reduced to 0.9m, which complies with the requirements of the Roads Department and the South Dublin County Council Development Plan 2022-2028.
  - (i) The applicant is requested to submit an elevational/sectional drawing with a revised north-facing outer boundary wall and a front (east-facing) wall with a reduced height to 0.9m.
  - (ii) The applicant is requested to submit elevational/sectional drawings and plans that detail additional windows along the northern side elevation of the proposed dwelling.
2. The applicant has not submitted a drawing or report to show any SuDS (Sustainable Drainage Systems) features for the proposed development.

1.1 The applicant is required to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.

Examples of SuDS include:

- Green Roofs,
- Rain gardens
- Swales
- Permeable Paving
- Grasscrete
- Channel Rills
- Planter Boxes and water butts
- Other such SuDS

Guidance on SuDS can be found on South Dublin County Council Website from the at: [sdcc-householders-guide-to-sustainable-drainage-suds-.pdf](#)

1.2 If a soakaway is proposed, the applicant is required to submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway

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Design. The applicant is required to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

- i) At least 5m from any building, public sewer, road boundary or structure.
- ii) Generally, not within 3m of the boundary of the adjoining property.
- iii) Not in such a position that the ground below foundations is likely to be adversely affected.
- iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- v) Soakaways must include an overflow connection to the surface water drainage network.

1.3 Submit a drawing showing the surface water layout of proposed development.

3. The applicant is requested to submit the following:

1.1 a drawing in plan and cross-sectional view showing the distance between the boundary wall of proposed

house and the outside diameter of existing watermain North of Site.

1.2 Obtain a letter of confirmation of feasibility from Irish Water for proposed development.

1.3 a drawing showing the watermain layout for proposed development.

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

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

### 2 Foul

2.1 a drawing showing the foul drain layout up to and including the point of connection to the public sewer.

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

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**REG. REF. SD22A/0263**

**LOCATION: 79, Moy Glas Chase, Lucan, Dublin**

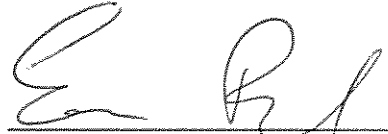
*Colm Harte*

**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:**

27/7/22

  
**Eoin Burke, Senior Planner**