

Comhairle Chontae Atha Cliath Theas

PR/1141/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0328 **Application Date:** 15-Jul-2022
Submission Type: New Application **Registration Date:** 15-Jul-2022

Correspondence Name and Address: William Doran 7 St. Marys Road, Ballsbridge, Dublin 4.

Proposed Development: Two storey granny flat on the side.

Location: 48, Dargle Wood, Knocklyon, Dublin 16

Applicant Name: Bernadette Lea

Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: Stated as 0.09 Hectares.

Site Description:

The subject site is located within the Dargle Wood residential estate in Knocklyon. The subject dwelling is a two-storey semi-detached dwelling with a pitched roof at the end of a cul-de-sac. The rear of the property faces onto public open space.

Proposal:

The proposed development consists of the following:

- Construction of two storey family flat with pitched roof to the side of existing semi-detached dwelling.
- Proposed works measures 97.44sq.m

Zoning:

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

Consultations:

Water Services Section: No report received

Irish Water: No report received

SEA Sensitivity Screening

Indicates no overlap with the relevant environmental layers.

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Submissions/Observations /Representations

A submission was received in objection to the proposed development from the neighbour at 47 Dargle Wood. Concerns include:

- The proposal is effectively a new two storey dwelling overlooking and overbearing on neighbouring No. 47 Dargle Wood.
- The proposal is seriously injuriously to the enjoyment of the residents of No.47 Dargle Wood.
- The public notices do not adequately describe the proposed works which has the effect of extending the existing dwelling at No. 48 Dargle Wood into an 8 bedroom dwelling.
- The proposal has its own separate front door and is a fully contained separate dwelling unit with a tenuous link to claim family/granny flat status.
- The proportion of the windows (west) is not in keeping with the fenestration style of the existing dwelling.
- Loss of privacy and overlooking.
- Proposal is very close to the boundary wall with No.47 Dargle Wood.
- The windows to the top floor and gable end are of serious concern.
- Overbearing impact.
- There is already a declared study and home office in the existing dwelling and the justification for a first floor office seems contrary to home based economic activity and would be more closely aligned to an office development.
- Daylight and overshadowing.
- Natural light will be seriously reduced by the two storey extension.
- Proposal will devalue the property at No.47 Dargel Wood.
- The intensification of the site would have the knock on impact of additional car parking requirements in a cul-de-sac.

The objection/s and submission/s lodged with the application have been considered in the overall assessment of the development

Recent Relevant Planning History:

No relevant history

Relevant Enforcement History:

S4541. Case now closed.

Pre-Planning Consultation:

No Pre-Planning consultation recorded.

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Relevant Policy in South Dublin County Council Development Plan 2022 – 2028:

Section 6.8.3 Family Flats

Policy H15 - Family Flats

It is the policy of the Council to support family flat development subject to the protection of residential and visual amenities.

H15 Objective 1: To favourably consider a family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation for an immediate family member or members subject to the criteria outlined in Chapter 12: *Implementation and Monitoring*.

Section 2.6.8 Residential Consolidation

A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of an existing dwelling). A family flat is not considered to represent an independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:

- The applicant shall be required to demonstrate that there is a genuine need for the family flat;
- The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;
- The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;
- Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;
- Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and 'that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

Extensions

The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the *South Dublin County Council House Extension Guide* (2010) or any superseding standards.

Section 6.8.2 Residential Extensions

Domestic extensions allow for the sustainable adaptation of the County's existing housing stock. The South Dublin County Council House Extension Design Guide (2010) supplements the policies and guidance of the Development Plan.

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House Extension Design Guide South Dublin County Council Planning Department, 2010.

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).

Assessment

The main issues for assessment relate to:

- Zoning and Council policy
- Residential and Visual Amenity
- Services and 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.' The development of a family flat extension to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan regarding family flat development and extensions, where a valid case for the family flat development is provided, and where the proposal would not otherwise detract from the existing residential amenity of the area.

Residential & Visual Amenity

In the South Dublin County Development Plan 2022 – 2028 Section 6.8.3 Family Flats states:

A family flat refers to a temporary subdivision or extension of an existing single dwelling unit to provide semi-independent accommodation for an immediate family member (older parent or other dependent). The Council will consider family flat developments where an established need has been satisfactorily demonstrated. In the South Dublin County Development Plan 2022 – 2028 Section 12.6.8 Residential Consolidation (Family Flats) states:

A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of an existing dwelling). A family flat is not considered to represent an independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:

- The applicant shall be required to demonstrate that there is a genuine need for the family flat;

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- The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;
- The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;
- Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;
- Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

The applicant has submitted information to satisfactorily demonstrate that there is an established need to provide semi-independent accommodation for an immediate family member (older parent or other dependent). This element complies with the criteria of the South Dublin County Council Development Plan 2022-2028, Section 12.6.8 Residential Consolidation (Family Flats) and Housing Policy (H) Policy 15 Family Flats.

The existing dwelling has a floor area of c.212sq.m. and the proposed family flat measures c.97sq.m. This will mean a total internal floor area of c.309.8sq.m. The proposed family flat does not exceed 50% of the total floor area (ie. Total floor area is approx. 106sqm.) of the main dwelling. Therefore, this element complies with the criteria of the South Dublin County Council Development Plan 2016-2022, Section 12.6.8 Family Flats and Housing (H) Policy 15 Family Flats.

The proposed family flat is connected directly to the main house. The ground floor kitchen/dining room of the family flat will be connected directly by an internal access door to the cloakroom of the existing house. This would comply with the South Dublin County Development Plan regarding Family Flats, Section 12.6.8 Residential Consolidation (Family Flats).

The proposed family flat will have its own separate front door access on the front elevation of the family flat. This **would not comply** with Council Policy on family flats (Section 12.6.8 Residential Consolidation (Family Flats)) which states:

- *The main entrance to the existing house shall be retained and **the family flat shall be directly accessible from the front door of the main dwelling via an internal access door**, and the design criteria for dwelling extensions will be applied;*
- ***Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;***

The above requirements are not reflected in the layout and design of the family flat.

It is considered this may be addressed by way of **Additional Information** whereby the applicant is requested to submit revised planning drawings clearly showing the omission of the proposed

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separate front door to the family flat and relocating it to the side or to the rear to provide access to the rear private open space or for escape from fire.

The proposed two storey family flat with pitched roof will have a ridge height set c.0.52 metres below the ridge height of the existing dwelling. The family flat will be offset c.3.34m from the boundary with the immediate neighbour to the west. It will be setback from the main front building line by c.3.5m and will project forward of the main rear building line by c.1.5m. A reasonable level of private open space will remain post completion. There are above ground floor windows proposed on the south, east and west elevation. It is noted that windows on the west elevation will be permanently obscured and therefore there will be no undue overlooking. There will also be no undue overlooking from the proposed windows on the south and east elevation. It is not considered that the proposal will have a significant adverse overbearing impact and would comply with the design criteria for dwelling extensions.

Services & Drainage

No reports from Irish Water or Surface Water Drainage have been received to date. However, in the event of a grant it is considered appropriate to attach standard drainage conditions.

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.

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.

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Other Considerations

Development Contributions

- Development subject of this application is for two storey family flat measuring a total of 97.44sq.m.
- No exemption remains.
- Assessable area is 97.44sq.m.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – ‘family flat’ extension	97.44sq.m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.09

Conclusion

Request **additional information** whereby the applicant is requested to submit revised planning drawings clearly showing the omission of the proposed separate front door to the family flat and relocating it to the side or to the rear.

Recommendation

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

1. In the South Dublin County Development Plan 2022 - 2028 Section 12.6.8 Residential Consolidation (Family Flats) states:
 - The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;
 - Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;

The above requirements are not reflected in the layout and design of the family flat. The applicant is requested to submit a revised design accordingly and which shows the omission of the proposed separate front door to the family flat and relocating it to the side or to the rear to provide access to the rear private open space or for escape from fire.

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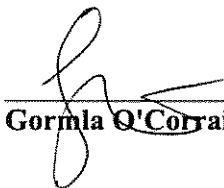
LOCATION: 48, Dargle Wood, Knocklyon, Dublin 16

jjohnston

**Jim Johnston,
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: 7/09/22



Gormla O'Corrain, Senior Planner