

Comhairle Chontae Atha Cliath Theas

PR/1191/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0351 **Application Date:** 02-Aug-2022
Submission Type: New Application **Registration Date:** 02-Aug-2022
Correspondence Name and Address: Tom Duffy Architect 5A, Collins Park,
Donnycarney, Dublin 9
Proposed Development: A flat roof single storey Garden Room / Shed to rear
and associated works.
Location: 71, St. Peter's Road, Walkinstown, Dublin 12, D12
Y1R8
Applicant Name: Corina Ceru
Application Type: Retention

(EW)

Description of Site and Surroundings:

Site Area: 0.0215 Hectares.

Site Description:

The application site consists of a two storey, mid terraced house that is located on St. Peter's Road in Walkinstown. The area is predominantly residential in nature. The streetscape is characterised by two storey dwellings of similar form and character. Various forms of rear garden development are evident in the surrounding area.

Proposal:

Retention Permission:

- A flat roof single storey Garden Room / Shed to rear and associated works.

Zoning:

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

Consultations:

Surface Water Drainage –	No report received, standard conditions to apply.
Irish Water –	No report received, standard conditions to apply.
Roads-	No objections.
Parks -	No objections.
SEA Sensitivity Screening –	No overlap indicated.

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Submissions/Observations /Representations

None recorded for subject site.

Relevant Planning History

None recorded for subject site.

Adjacent sites

None relevant for subject site proposal.

Relevant Enforcement History

S8947 - 71, St Peters Road, Walkinstown, Dublin. (Construction of alleged habitable structure – Remains open, noted for retention application – 15.09.2022)

Pre-Planning Consultation

None recorded for subject site.

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

Policy QDP7: High Quality Design – Development General

Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Policy H11: Privacy and Security

Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

6.8.2 Residential Extensions

Policy H14: Residential Extensions

Support the extension of existing dwellings subject to the protection of residential and visual amenities.

H14 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 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

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Policy GII: Overarching

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Backland Development

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

Green Infrastructure

- Policy GI1: Overarching Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.
- ***GII Objective 4:*** To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.
- ***GI2 Objective 4:*** To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: *Implementation and Monitoring* and the policies and objectives of this chapter.
- ***GI4 Objective 1:*** To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's *Sustainable Drainage Explanatory Design and Evaluation Guide, 2022*.

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

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.*

Daylight and over shadowing

- *Locate and design an extension so that it will not significantly increase the amount of shadow cast on the existing windows or doors to habitable rooms in neighbouring properties.*
- *Prevent significant loss of daylight to the window of the closest habitable room in a neighbouring property, by not locating an extension within the 45° angle of the centre point at 2m above ground level of the nearest main window or glazed door to a habitable room, measured on both plan and elevation. If the extension has a pitched roof, then the top of the extension can be taken as the height of its roof halfway along the slope.*

Relevant Government Guidelines

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment 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, (2008).

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

Assessment

The main issues for assessment are

- Zoning and Council policy
- Residential and Visual amenity
- Drainage
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

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Zoning and Council Policy

Residential development is in principle consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. A detached garden room to the rear of the existing site is considered to be a part of the permitted residential use

Residential & Visual Amenity

Detached Games Room / Gym

The retained garden room development is located 5.3m east of the existing two-storey semi-detached dwelling. Under the County Development Plan, a new three-bedroom dwelling requires a minimum of 60sq.m of rear amenity space to comply with new builds as set out in the Minimum Space Standards for Houses set out in the South County Development Plan 2022-2028. However, in this existing established retention proposal, the minimum standard of 25 sq.m is achieved with 43sq.m and therefore is acceptable. Also noted is the pattern of development in the immediate area, rear outbuilding development is evident in the majority of adjacent dwellings.

The retained home office room/gym structure has an overall floor area of 42 sq.m with a mono-pitched roof height of 3.6m adjacent to the rear boundary wall and of the falling to a height of 2.9m. The entire structure is built abutting the north, east and south facing rear garden wall. The design of this structure is considered acceptable on this 0.0215 Hectares site with sufficient rear amenity space being retained. It does not detract from the visual and residential amenities of the area. It is recommended that the condition be imposed requiring the exterior walls of the shed to be rendered and painted.

As noted by the submitted drawings, the retained garden room structure appears to be habitable with a wc. However, the outbuilding is intended for ancillary use and shall only be incidental to the existing dwelling and not used as a separate living dwelling; thus, a **condition** shall be attached to omit the wc. The garden room shall remain for ancillary use only and shall not be used for habitation or any other purpose. A separate **condition** shall also be attached to this effect.

The contemporary structure has two separate entrances to the garden and rear lane way on the east-facing boundary wall facing the main residential lane. It is noted that the roads department have no objection and the secondary lane way is for rear access only to the main rear gardens. The materials used are considered acceptable. The scale and size of the outbuilding are relatively in proportion and context to the surrounding rear structures. No undue overbearing impact on the neighbouring dwellings to the north, east and south are envisaged. The current boundary wall/fences to the sides and rear are retained. Therefore, subject to the above conditions, it is deemed acceptable under the Development Plan provisions, and a grant of retention permission is recommended.

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Services & Drainage

Water Services have not submitted a report however, the retained development is subject to standard conditions regarding standard codes of practice and the addition of water butts.

Regarding Irish Water, a report has not been received however, the retained development is noted that the wc shall be conditioned to be omitted from the rear gym/games room.

Green Infrastructure

The site boundary is not located within a Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028). A **condition** for surface water shall include for SuDS measures in the form of water butts.

Having regard to the extent of private amenity grassland retained, the provision of SuDS measures, it is considered that the subject development (for retention), has incorporated Green Infrastructure and will protect, manage and enhance the GI resources on the subject site. As such, the proposal is in accordance with GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028.'

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development (for retention) is located within an established residential area and comprises of a single storey garden room/shed to rear.

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 (for retention) 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 proposed development (for retention), 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 (for retention). The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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Development Contributions

- Retained - Garden Room/Gym (conditioned as ancillary and non-habitable): 42 sq.m

Assessable area: Nil.

SEA Monitoring

Building Use Type Proposed: Residential extension.

Floor Area: 42 sq.m

Land Type: Brownfield/Urban Consolidation

Site Area: 0.0215 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development for retention it is considered that, subject to the conditions set out below, the retained development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the retained garden room would be in compliance with Council policy in relation to extensions to dwelling houses.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for Retention for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, within 6 months of the grant of permission, save as may be required by other conditions attached hereto.
REASON: To ensure that the development is in accordance with the permission and that

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effective control is maintained.

2. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

Revised plans that incorporate all of the following amendments-

(a) Omit the WC from the garden room/gym structure.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

3. Restriction on Use of the Shed/Garden Room/Gym.

The Shed/Garden Room/Gym shall be used solely for purposes incidental to the enjoyment of the dwelling house as such and shall not be used for habitation or the carrying on of any trade or business, and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

REASON: In the interest of orderly development and the proper planning and sustainable development of the area.

4. The external walls of the Shed/Garden Room/Gym shall be finished cement render and painted.

REASON To ensure an acceptable standard of development

5. Surface Drainage.

(i) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

(ii) Include water butts as part of SuDS (Sustainable Drainage Systems) features for the retained development.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

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REG. REF. SD22B/0351

LOCATION: 71, St. Peter's Road, Walkinstown, Dublin 12, D12 Y1R8



Deirdre Kirwan
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for Retention for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 26/09/2022



Colm Harte,
Senior Executive Planner