

# Comhairle Chontae Atha Cliath Theas

**PR/1216/22**

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

**Reg. Reference:** SD22B/0350      **Application Date:** 02-Aug-2022  
**Submission Type:** New Application      **Registration Date:** 02-Aug-2022  
**Correspondence Name and Address:** Mary Condren 30A, Parkhill Rise, Kilnamanagh, Tallaght, Dublin 24  
**Proposed Development:** Alterations and extension to the side and rear to include extra ground floor bedroom and bathroom.  
**Location:** 30A, Parkhill Rise, Kilnamanagh, Tallaght, Dublin 24  
**Applicant Name:** Mary Condren  
**Application Type:** Permission

(CM)

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

#### **Site Description**

The site accommodates an end-of-terrace house, built under a 1999 permission as an extension to a previously semi-detached dwelling, No. 30, which is in the same ownership. The dwellings appear to share a front door access although this is contradicted in the layout drawings provided.

Otherwise, the dwelling is a 2-storey dwelling with pitched roof and a single storey front extension under hipped roof (which it shares with No. 30). A more unusual feature of this house is the four windows in the side elevation, with glass box windows at ground level. The house is located on a corner on Parkhill Rise and sides on to Parkhill Road, a distributor road. The house overlooks a green space to the front. The rear gardens of No. 30 and 30A are separated, and No. 30A's is the smaller garden, tapering to the rear.

#### **Proposal:**

Alterations and extension to the side and rear to include extra ground floor bedroom and bathroom.

#### **Zoning:**

'RES' – 'To protect and/or improve residential amenity.'

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### **Consultations:**

Environmental Services	No report received
Irish Water	No report received
Roads	No report received
Public Realm	Recommends Conditions.

### **SEA Screening**

No overlap with the relevant environmental layers.

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

None.

### **Relevant Planning History**

S99A/0951 – Permission granted for one two storey semi-detached single family home to side, incorporating all necessary site works, one new vehicular entrance, velux rooflights front and rear and with new porch, velux rooflights and rear window to no.30 itself.

### **Relevant Enforcement History**

None.

### **Pre-Planning Consultation**

None recorded for subject site

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GI1 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.

Section 4.2.1 Biodiversity

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.

Section 4.2.2 Sustainable Water Management

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

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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.

### Section 6.8.2 Residential Extensions

Policy H14: 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).

### Section 6.8.3. family Flats

Policy H15 Family Flats

Support family flat development subject to the protection of residential and visual amenities.

### Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

## Chapter 12 Implementation and Monitoring

### Section 12.6.8 Residential Consolidation

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.

### Family Flat

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;

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- 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.

### **National Guidelines & Policy relevant to Development Management in SDCC**

#### **Ministerial Guidelines and Policy**

**Project Ireland 2040 National Planning Framework**, Government of Ireland (2018).

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

**Rebuilding Ireland: Action Plan for Housing and Homelessness**, Government of Ireland (2016).

**Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities**, Department of Housing, Planning and Local Government (2020).

**Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas**, Department of the Environment and Local Government (2009).

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

**Urban Development and Building Heights Guidelines for Planning Authorities**, (2018)  
**Quality Housing for Sustainable Communities-Best Practice Guidelines**, Department of the Environment, Heritage and Local Government (2007).

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

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**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 concern the following:

- Accuracy of Plans
- Zoning and Council policy;
- Family Flat
- Residential amenity and visual impact;
- Green infrastructure and open space
- Sustainable movement
- Drainage
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

#### **Accuracy of Plans**

The plans submitted do not show how No. 30 Parkhill Rise is accessed, and Nos. 30 and 30A appear to share a front door. Notwithstanding the unusual nature of the access arrangements it is concerning that the plans submitted may not be accurate.

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

The site is located in an area which is subject to zoning objective 'RES' – *'To protect and/or improve Residential Amenity'*. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan with specific reference to Section 12.6.8 which relates to extensions to dwellings.

The applicant has submitted particulars of a private nature which detail a rationale for the proposed rear extension on the basis of a medical referral. The applicant has not specified that the proposed development would be a family flat, either in site notices or in the associated documentation, however it would be possible under the County Development Plan to grant such a permission where the criteria provided for in the Plan were met. For this purpose, the proposal has been assessed against these criteria in the following section. Such a permission would require certain conditions to be attached.

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#### Family Flat

The following criteria are contained in section 12.6.8 of the County Development Plan.

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

The applicant has submitted appropriate note from a General Practitioner. There is a question over whether an extension is necessary, however. This is covered under the section on 'Overdevelopment' below.

- The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;

The floor area of the proposed extension is given as 32sqm which is less than 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;

The extension would be accessible via the main house. No other external door is provided; however one could be provided down the side alley.

The proposal does not meet the design criteria for extensions. See 'Residential Amenity and Visual Impact' section below.

- 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;

None proposed.

- 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.

Noted.

Due to the proposal not meeting the appropriate design criteria for residential extensions, it would not be appropriate to provide for a family flat at this location. This can be listed as an

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additional reason for refusal, noting that there are other issues with the proposed extension (see below sections).

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

The proposed development provides for a rear and side extension, providing for a utility room partially within the existing envelope of the house and partially to the side, a bedroom and en-suite to the rear of the garden, and a link corridor between the house and the bedroom and en-suite. The proposal would disconnect the rear garden from the side passage, and would reduce the rear garden to a courtyard of 16sqm.

The proposed development would include (or replace) the existing side boundary wall overlooking Parkhill Road, and would feature high cill north-facing windows at this location. These windows would not provide passive surveillance due to their height and similarly, would not compromise the privacy of potential occupants. It is noted that there is passive surveillance provided from first floor level in the existing house, overlooking Parkhill Road.

### Internal Residential Accommodation

The proposed en-suite bedroom is acceptable when assessed against the 'Quality Housing for Sustainable Communities – Best Practice Guidelines' (2007) and is linked by a 1.5m corridor to the main house, via the kitchen. The link corridor also opens out into the courtyard. This is acceptable.

### Private Amenity Space

The rear garden would be reduced in size to 16sqm under the proposed development. This would be a significant detriment to the residential amenity offered by the subject dwelling. The Planning Authority seeks that adequate rear garden area is retained where extensions are built, as per advice in the South Dublin County Council House Extension Design Guide (2010). The South Dublin County Development Plan 2022 – 2028 also contains a standard of 60sqm for new houses of this size. Furthermore, a lower standard of 25sqm is mentioned in the Planning and Development Regulations 2001, as amended. Flexibility can be applied with respect to residential extensions, however, the proposed development would lower the available private amenity space to such an extent that the proposed development must be considered unacceptable and contrary to the 'RES' land-use zoning objective, which reads 'to protect and/or improve residential amenities'.

### Overdevelopment

The extension would not be in keeping with the pattern of development in the area, and would provide for an out-of-character arrangement and intensification of development at this site. Due to the lack of private amenity space, and the arrangement of the new rear extension, the proposed development would be overdevelopment.

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It is also noted that the plans do not make it clear how No. 30 Parkhill Rise is accessed; the total size and capacity of Nos. 30 and 30A would need to be considered if these are in fact one residential unit. It is possible that ground floor accommodation could be better provided for at ground level within the larger unit (again, this is *if* Nos. 30 and 30A, which are in the applicant's ownership, are operating as one unit).

### **Green Infrastructure and Open Space**

The Public Realm Department has not provided a comment on green infrastructure. The proposed development would increase the built-up area of the site considerably and should be accompanied by a Green Infrastructure Plan and Green Space Factor calculations, as per Policies GUI2 and GI5 of the County Development Plan.

The Public Realm Department has recommended a condition to ensure protection of street trees in the event of permission being granted. This is noted.

### **Sustainable Movement**

The applicant proposes no change to vehicular arrangements. This would be acceptable in the context of a family flat or a minor rear extension. The proposed extension includes an additional bedroom.

### **Drainage**

No reply has been received from the Water Services section. Standard conditions should be imposed in the event of a grant of permission. It is noted that SUDs should be required given the increase in the built-up area of the site.

### **Screening for Appropriate Assessment**

The subject site is not located within nor within close proximity to a European site. The proposed development is in an established residential area. The development comprises retention of extensions and attic/garage conversions.

Having regard to:

- the small residential scale of the development,
- the location of the development in an established 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.



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### **Screening for Environmental Impact Assessment**

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.

### **Conclusion**

The proposed development should be refused on the basis of loss of private amenity space, overdevelopment and, additionally, not reaching criteria under the family flats policy, and lack of green infrastructure or SUDs details. The proposed development, being contrary to the 'RES' land-use zoning objective, would not be in accordance with the South Dublin County Development Plan 2022 – 2028, the SDCC House Extension Design Guide, or the proper planning and sustainable development of the area.

### **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 extension would reduce the available private amenity space to the dwelling to 16 sqm, which would be substandard and substantially below the minimum requirements required in the South Dublin County Development Plan 2022 - 2028, and the lower standard of 25sqm provided for in the Planning and Development Regulations 2001 as amended (which applies to exempted development but is nonetheless a standard against which extensions on restricted sites might be noted against). The proposed development would also not be in accord with the SDCC House Extension Design Guide (2010) guidance to 'make sure enough rear garden is retained', and would therefore not comply with Policy H14 of the County Development Plan. The proposed development can be considered overdevelopment and as per all of the above would seriously injure the amenities of property in the vicinity and detract from the residential amenity of the subject site, and would be contrary to the 'RES' land-use zoning objective (which seeks to protect and/or improve residential amenity) and the proper planning and sustainable development of the area.
2. The applicant has not specified that the proposal would be a family flat, however the rationale for the development is similar to that of a family flat. In any event, the proposed development would be contrary to Policy H15 (Family Flats) of the South Dublin County Development Plan 2022 - 2028, which reads, 'Support family flat development subject to

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the protection of residential and visual amenities', due to the reduction in residential amenity which would arise from the proposed development.

3. The applicant has not provided the necessary information on green infrastructure, or green space factor calculations, or SUDs, required under policies GI2, GI5 and GI4 of the South Dublin County Development Plan 2022 - 2028 respectively.


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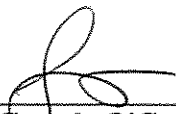
**REG. REF. SD22B/0350**

**LOCATION: 30A, Parkhill Rise, Kilnamanagh, Tallaght, Dublin 24**

  
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**Jim Johnston,  
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:** 26/09/22

  
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**Goymla O'Corrain, Senior Planner**