

Comhairle Chontae Atha Cliath Theas

PR/1347/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0383 **Application Date:** 29-Aug-2022
Submission Type: New Application **Registration Date:** 29-Aug-2022
Correspondence Name and Address: John Flanagan 42, Nova Court, Carrigaline, Co. Cork
Proposed Development: Front entrance porch.
Location: 32, Bancroft Park, Dublin 24
Applicant Name: John Flanagan
Application Type: Retention

(AOCM)

Description of Site and Surroundings:

Site Area: area not included on application form.

Site Description:

The application site contains a two storey, semi-detached house, located on Bancroft Park. The surrounding area is residential in nature.

Site Visited: 12/10/2022

Proposal:

Retention permission is sought for the following:

- Front entrance porch (3.8 sq.m)

Zoning:

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

Consultations:

Water Services – No report received at time of writing (12/10/22)

Irish Water – No report received at time of writing (12/10/22)

SEA Sensitivity Screening

SEA monitoring indicates no overlap with relevant sensitive environmental layers

Submissions/Observations /Representations

Submission expiry date – 3 October 2022

No submissions or observations received.

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Relevant Planning History

None recorded for subject site.

Relevant Enforcement History

None recorded for subject site.

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 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 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

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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.

Relevant Government Policy & Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018

Regional Spatial and Economic Strategy, Eastern & Midlands Regional Assembly, 2019.

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).

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG, 2009.

Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Interest in the Property
- Residential and Visual Amenity
- Green Infrastructure
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Policy

South Dublin County Development Plan 2022 - 2028

The site is subject to zoning objective 'RES' – *'To protect and/or improve residential amenity'*. Residential development (extension) is permitted in principle under this zoning objective, subject to assessment against the relevant policies, objectives and standards set out under the current Plan.

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Interest in the Property

On the application form the applicant has marked 'other' for question 10 relating to their legal interest in the land or structure. The explanation of this status is given as '*executor and joint owner of the property*'. It is not clear from this statement whether the applicant has the ability to submit the application without a letter of consent from other joint owners, or a solicitor confirming the exact current legal interest in the site. This should be established by additional information to ensure that the applicant is entitled to submit the application in lieu of any letters of consent, either from other owners or a solicitor.

Residential and Visual Amenity

A semi-hipped roof porch extension has been constructed to the side of the original protruding garage, which would formerly have had a flat roof. The revised roof profile reaches a maximum height of approximately 3.5m. The porch matches the building line created by the garage and does not severely impact the length of the driveway. The porch is largely glazed, with brick work matching the façade of the original dwelling.

The roof profile of the porch correlates with the roof profile of the garage, however, is incongruous when viewed in relation to the flat roof garage and entrance canopy of the adjoining dwelling. The assessment of this application however is limited to the porch extension, which is consistent with other similar works along Bancroft Park. In this regard the works are considered acceptable.

Green Infrastructure

The site does not appear to be located within a Core Area, Primary GI Corridor or Secondary GI Link, as per Figure 4.4 of the County Development Plan 2022 – 2028. Given the size of the porch, 3.8 sq.m, it is not considered that there is likely to have been any significant impact on existing green infrastructure at the site, and mitigation for the additional area of hardstanding is not required.

Water Supply and Wastewater

From a review of Irish Water maps, it does not appear that there would be any impact to, or conflict with, existing Irish Water infrastructure in the area.

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Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is on Bancroft Park, an established residential area. The development comprises retention of a front porch.

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.

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

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that the development would be acceptable. However, the Planning Authority is not satisfied that the applicant has provided sufficient information in relation to their legal interest in the property, and it is not clear whether letters of consent from other owners, or confirmation of legal interest from a solicitor is required. The applicant should be requested to confirm this by **additional information**.

Recommendation

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

1. From the applicant's response to question 10 on the application form, it is not clear exactly what their legal interest in the site is. The Planning Authority must be satisfied that the applicant has sufficient legal interest in a site, or relevant consent, prior to reaching a decision on an application. The applicant has stated that they are the 'executor and joint owner of the property'. It is not clear from this at what stage of probate the site is in, and whether confirmation from a solicitor is required to allow the application to be made, or if other interested parties should have provided consent for the application. The applicant is therefore requested to provide additional information, confirming their legal interest. The applicant must confirm any other parties with an interest in the property, and provide

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letters of consent from other owners, or confirmation from a solicitor about the status of the property and consent to making the current application.

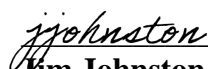
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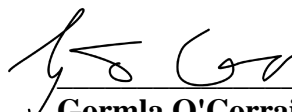
LOCATION: 32, Bancroft Park, Dublin 24



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: 24-10-22



Gormla O'Corrain, Senior Planner