

Comhairle Chontae Atha Cliath Theas

PR/1378/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0401 **Application Date:** 09-Sep-2022

Submission Type: New Application **Registration Date:** 09-Sep-2022

Correspondence Name and Address: Liam Cullen 44, Ballinteer Crescent, Dublin 16

Proposed Development: The development will consist of a single storey extension to side and rear of existing dwelling (overall floor area 54.3m.sq.) incorporating a new common entrance hallway & toilet (10.6.m.sq.) located at the front of the proposed extension leading to a new 'family flat' (43.7m.sq.) located at the rear of the proposed extension and associated site works.

Location: 97, Killinarden Estate, Tallaght, Dublin 24

Applicant Name: Rachel O'Brien

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.024 hectares.

Site Description:

The application site contains a two storey, semi-detached / end-of-terrace house, located on Killinarden Estate. The surrounding area is a mixture of residential and commercial / retail uses.

Site Visited: 12/10/2022

Proposal:

Permission is sought for the following:

- Single storey hipped roof side and rear extension (54.3 sq.m) to comprise entrance hall, toilet, and family flat.

Zoning:

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

Consultations:

Water Services – No report received

Irish Water – No report received

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SEA Sensitivity Screening

SEA monitoring indicates no overlap with relevant sensitive environmental layers

Submissions/Observations /Representations

Submission expiry date – 13 October 2022

No submissions or observations received.

Relevant Planning History

SD10B/0017: (1) Proposed ground floor front extension to existing single storey side garage & rear of garage to create utility room, garage to have proposed window in gable wall; (2) proposed first floor side & rear extension over extended garage & proposed rear extension with pitched & hipped roof over with 1 no. Velux rooflight over rear slope of roof. **Permission granted – it appears that this permission was implemented, and the garage has subsequently been demolished.**

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.

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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.

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 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.

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Family Flats

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.*

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
- Residential and Visual Amenity
- Green Infrastructure
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

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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.

The applicants mention in their public notices and cover letter that the extension would provide family flat accommodation for the applicants' elderly father. Section 6.8.3 of the Development Plan provides the policy context for family flat extensions.

- *Policy H15: Family Flats*
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 12.6.8 states family flat development should meet the following criteria:

- *The applicant shall be required to demonstrate that there is a genuine need for the family flat;* – The applicant has stated the family flat would be for their elderly father and have provided a doctor's note stating the rationale for the specific reason for single level supported living. This is considered acceptable.
- *The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;* The family flat element of the extension would be 43.26 sq.m. The existing house is approximately 91.71 sq.m, meaning the family flat is just under 50% of the size of the existing dwelling. This would be considered acceptable in principle.
- *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 applicant has provided a 'shared' entrance, recessed from the front building line of the existing dwelling. The existing entrance to the dwelling is located near the front of the dwelling, along the north side elevation. This door is indicated as being retained. It is considered that the two entrances would likely be used separately, or at least would create the possibility of the family flat extension being used completely separately to the main dwelling. The applicant should be requested to amend the proposals by **additional information**, removing the proposed entrance and common hall, with the flat accessed directly from the existing kitchen only.
- *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;* – As stated above, a front

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entrance door has been provided. This is considered unacceptable and should be amended by **additional information**.

- *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.* – These **conditions** should be included in the event of a grant of permission.

Based on the above, it is considered that **additional information** is required to ensure the proposal fully complies with the policies, objectives, and guidance of the Development Plan.

Residential and Visual Amenity

The ground floor extension would be constructed up to, and along, the northern site boundary, and would span the full depth of the site, from the existing dwelling to the end of the rear garden. There would be a maximum distance of 4m to the southern site boundary, with the adjoining dwelling, and at the western extent of the site, where the boundary is shared with a dwelling around the corner from the existing house, the distance would be approximately 2.3m.

It does not appear that there would be any direct external access for the family flat however, as previously stated, there would be a concern that the 'common hall' would ultimately serve the family flat exclusively, while the existing entrance would serve the main dwelling. In this regard the applicant should be requested to amend the proposals by **additional information**, providing only one main entrance to the dwelling.

The internal side elevation provided indicates an additional structure, or door, that is not included on the site layout plan. There are also discrepancies among plans and elevations regarding the number of rooflights proposed. The applicant should be requested to address these discrepancies by **additional information**.

The applicant has stated that a rear garden of 45 sq.m would be retained, with access to the public open space at the rear also maintained, though this appears to be relocated (not mentioned in notices). Table 3.2 of the Development Plan specifies minimum standards for housing, requiring a minimum of 60 sq.m private open space to be provided for dwellings. 45 sq.m would be below this minimum and the Planning Authority would have concerns about the useability of some of the areas that would be retained as private amenity space, particularly at the western part of the site.

As well as concerns about the amount of private open space to be retained, the Planning Authority would have a concern regarding the potential impact of the development on the neighbouring dwelling to the north in terms of daylight and overshadowing. The extension would have a maximum ridge height of 3.7m and a parapet wall height of approximately 2.9m. The existing

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boundary wall is approximately 1.9m (measured from drawings). Given the scale of the development, its location, and the orientation of the dwelling, it is considered that the development would have a significant negative impact on the neighbouring dwelling by way of overshadowing. There is an existing rear extension to the dwelling, protruding approximately 3m from the original rear building line. The proposed extension and family flat would protrude a further 13.6m from the revised rear building line. This is significantly in excess of the depth of the original dwelling, which is less than 8m. The scale of the development, by way of length and height, are therefore considered to be unacceptable. The applicant is proposing to provide a family flat that would function separately from the main dwelling, providing a kitchen and living area, as well as bedroom, bathroom, and storage.

It is not considered that all of this can be accommodated within the site, which is constrained. It is considered that a ground floor extension would be better located at the side of the dwelling, utilising the space between the main dwelling and the northern site boundary. The neighbouring dwelling to the north has a side garage constructed up to the site boundary. Under SD10B/0017a a garage was granted for the subject dwelling and it appears that this was built and subsequently demolished. It is considered that there is precedent in the area for single storey side extensions to be constructed up to site boundaries. Infilling this area would reduce the impact on the neighbouring dwellings that occurs as a result of extending the full depth of the garden. The applicant should be invited to amend the proposal by **additional information**, minimising the rear protrusion of the extension, and instead maximising the opportunity of infilling the space to the northern site boundary to the side of the existing dwelling.

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 Development Plan.

The development would significantly increase the floorplate of the existing dwelling, resulting in the loss of approximately 50% of the private outdoor amenity space. It does not appear that there are any mature trees or other vegetation at the site that could be impacted by the development. The applicant has not indicated any SuDS measures for the site, and these should be requested as **additional information**.

Water Supply and Wastewater

Water Services and Irish Water have not provided responses in relation to the application. From a review of Irish Water maps, it does not appear that the development would interfere with, or compromise, any existing Irish Water infrastructure in the vicinity of the site. From the site layout plan provided, the drainage layout for the development is not entirely clear. The drawing indicates that surface and foul water would discharge to the same drainage system. The applicant should be

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requested to clarify this by **additional information**, noting it is standard to require the separation of surface and foul water.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is on Killinarden Estate, an established residential area. The development comprises construction of a single storey side and rear extension comprising a family flat.

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 as currently proposed would be unacceptable, resulting in significant negative impacts on the neighboring dwelling to the north and should therefore be amended. **Additional information** should be requested as follows:

- Relocate the ground floor extension to the side of the existing dwelling, infilling the area formerly occupied by the garage permitted under SD10B/0017 and reducing the extent of the protrusion of the extension to the rear. Only one entrance to the dwelling should be provided as part of these alterations.
- Provide a revised layout clearly indicating any rear structures that are to remain as part of the proposed works.
- Provide information of proposed SuDS measures for the site.
- Provide drainage layouts for the revised scheme, including details of separate foul and surface water discharge.

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Recommendation

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

1. The rear/side extension as proposed is considered unacceptable given its depth (13.5m from the rear building line of the existing extension) and the impact it would have on the neighbouring dwelling to the north as a result of its height and length along the entire northern site boundary. It is considered that this would result in unacceptable levels of overshadowing to the rear of the neighbouring property. It is considered that the extension would be better located to the side of the existing dwelling, infilling the area formerly occupied by a garage, between the dwelling and the northern site boundary. The applicant is requested to submit revised proposals, relocating the location of the extension to the side of the dwelling. A bedroom and en-suite could be accommodated in this area along with the downstairs toilet that was stated as a requirement in the applicants cover letter. In amending the proposal, the applicant is reminded that only one common entrance would be acceptable, and any works to provide additional family flat accommodation should be able to be absorbed into the main dwelling once the need for the family flat no longer exists. The applicant should ensure that all revised plans and elevations are consistent.
2. A revised proposed site layout is required, clearly marking any rear structures that would remain after the works have been complete, including fixed shed structures or similar.
3. The applicant has not proposed any SuDS (Sustainable Drainage Systems) features. The applicant is requested to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development, for the written agreement of the Planning Authority. The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:
 - Rain Gardens
 - Planter boxes with overflow connection to the public surface water sewer.
 - Permeable Paving
 - Grasscrete
 - Green Roofs
 - Rain gardens
 - Swales
 - Rills
 - Water Butts
 - Other such SuDS

The applicant should reference the SDCC Sustainable Drainage Explanatory Design & Evaluation Guide prior to submission.

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4. The drainage plans for the development are not clear. The applicant is requested to submit a drawing showing the watermain layout, foul and surface water layout of the proposed development, ensuring that surface water is kept separate from foul water.

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REG. REF. SD22B/0401

LOCATION: 97, Killinarden Estate, Tallaght, Dublin 24

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: 02/11/2022

Colm Harte
Colm Harte,
Senior Executive Planner