

Comhairle Chontae Atha Cliath Theas

PR/1464/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0373 **Application Date:** 29-Sep-2022

Submission Type: New Application **Registration Date:** 29-Sep-2022

Correspondence Name and Address: Sam Le Bas 149, Foxrock Park, Dublin 18

Proposed Development: Demolition of the existing former two storey steelworks factory (465sq.m) and build on resultant cleared site of circa 0.133 hectares; Construction of 3 flat roof, terraced, three storey, three bedroom houses (160sq.m each, 480sq.m total) with external terraces at first and second floor levels and all associated site development works above and below ground.

Location: Former steelworks factory, Manor Avenue, Terenure, Dublin 6W

Applicant Name: Patricia Carmody

Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Area: Stated as 0.133 Hectares

Site Description:

The application site is accessed located on Manor Avenue, which is accessed off Wainsfort Grove in Terenure, Dublin 6 within close proximity to the Wainsfort Road. The site is an infill, backland site that is bounded by College Drive to the south, Wainsfort Road to the west and Wainsfort Park to the north. Manor Avenue is a narrow access route with five residential units on the northern side with access on to the lane.

The site itself is located at the end of Manor Avenue and is a gated site with a predominately concrete surface treatment with two storey storage/commercial unit with roller shutters located to the west of the site.

The area is predominately residential in nature with a mix of detached, semi-detached and terraced residential units with varying architectural styles and relatively uniform building lines and ridge heights. Terenure College is located within the immediate vicinity to the southeast of the proposed development with public transport (Dublin Bus) stops along the Fortfield Road to the east.

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Proposal

The proposed development consists of:

- Demolition of the existing former two storey steelworks factory (465sq.m) and build on resultant cleared site of circa 0.133 hectares.
- Construction of 3 flat roof, terraced, three storey, three bedroom houses (160sq.m each, 480sq.m total) with external terraces at first and second floor levels.
- All associated site development works above and below ground.
- Total area of works 480sqm

Zoning:

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

Consultations:

Irish Water: Additional Information required.

Surface Water Drainage: No objections.

Roads Department: No report received at the time of writing.

Parks Department: Additional Information required.

Environmental Health: No report received at the time of writing.

Transport Infrastructure Ireland: No objections.

SEA Sensitivity Screening

Indicates no overlap with the relevant layers.

Submissions/Observations

None received.

Recent Relevant Planning History

Subject

SD18A/0356 – **Permission Refused** for demolition of former steelworks factory and build on resultant cleared site circa 0.13 hectares. The proposed development will consist of 4 terraced two storey three-bedroom houses and ancillary site works.

Refusal Reason

The Planning Authority has significant concerns in respect of the turning movements illustrated for a rigid bed refuse or fire tender vehicle. The proposed multi-movements required to turn such a vehicle is considered hazardous and totally dependent on a clear path being available in perpetuity. The applicant has not demonstrated the ability of service vehicles to adequately turn onsite uninhibited. This would have a direct impact on the health and safety of future occupants of the proposed dwellings.

Having regard to the fact that there is an under provision of car parking at the site, based on the car parking requirements specified in the South Dublin County Development Plan 2016-2022,

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there is a potential for parking of vehicles in undesignated parking areas onsite. This may lead to difficulties in service vehicles turning onsite. In the event of an emergency at any of the residential units at this site, this could potentially result in difficulties in emergency service vehicles accessing the site and turning onsite.

Thus, the proposed development would be prejudicial to public health and would contravene the RES zoning objective of the site 'to protect and/or improve residential amenity', as set out in South Dublin County Council Development Plan (2016-2022) and would therefore be contrary to the proper planning and sustainable development of the area.

ABP-304447-19 – **Permission Granted** for application under SD18A/0356 by ABP

Reason for Grant of Permission Following Appeal

In deciding not to accept the inspector's recommendation to refuse permission, the Board considered that the omission of one of the four proposed units and a reduction in the number of parking spaces required would allow sufficient access for emergency vehicles. The Board considered that the scale, siting, and layout of the proposed development would integrate with the surrounding area, and that the roof forms, materials and density would be appropriate for the local context, would be in accordance with the pattern of development in the area and would not have an adverse impact on the visual and residential amenity of the properties in the vicinity.

SD18A/0356/C2-1 – **Compliance Agreed** for Condition 2 of Grant of Permission ABP-304447-19. Decision 8/4/2022.

CONDITIONS no. 2

2.. The proposed development shall be amended as follows.

(a) Unit no. 02 shall be omitted, and Unit NO.1 shall be relocated westwards to form a terrace of three units.

(b) Four number parking spacers only shall be provided, and a clear width of a minimum of three metres shall be demarcated and kept free of obstacles to allow pedestrian access to the residential units.

(c) The North facing window of the first-floor bedroom of Unit no. 3 in the west end of terrace unit shall be omitted.

(d) All first-floor windows to the north elevation shall be finished in obscure glazing.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development.

Reason: In the interest of residential amenity

Adjacent

SD17A/0229/ PL06S.249298 – 8-10 College Drive - **Permission Refused** for Single detached flat roof two storey dwelling (174.5sq.m) to the rear of 8-10 College Drive with new vehicular entrance onto Manor Avenue and all associated site works and services at the rear of 8-10 College Drive with new entrance onto Manor Avenue.

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Refusal Reason

The proposed development would represent piecemeal backland development of two long rear gardens. The development as proposed does not include any level of site analysis or other supporting information that would demonstrate whether a comprehensive backland development, in conjunction with other adjoining long rear garden sites, utilising the Manor Avenue access lane could, or could not, be achieved. This site analysis and other supporting information is a requirement of the planning authority as set out in sections 11.3.2(i) and 11.3.2 (iii) of the South Dublin County Development Plan 2016-2022. It has not been demonstrated that Manor Avenue can be adapted to safely accommodate additional traffic that would be generated by the proposed development. It is considered that the proposed development would, therefore, endanger public safety by reason of traffic hazard, would represent a haphazard approach to zoned serviced lands and would contravene the aforementioned requirements as set out in the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Recent Relevant Enforcement History

S7505 – Enforcement for change of use from business to residential – Closed (Notice Complied With)

Pre-Planning Consultation

None.

South Dublin County Development Plan 2022-2028

Policy NCBH1: Overarching

Policy NCBH2: Biodiversity

Policy NCBH5: Protection of Habitats and Species Outside of Designated Areas

Policy G11: Overarching

G11 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.

Policy G12: Biodiversity

G12 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.

Policy G13: Sustainable Water Management

G13 Objective 1:

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To ensure that hydromorphical assessments are undertaken where proposed development is within lands which are partially or wholly within the Riparian Corridors identified as part of this Development Plan.

GI3 Objective 2:

To require development proposals that are within riparian corridors to demonstrate how the integrity of the riparian corridor can be maintained and enhanced having regard to flood risk management, biodiversity, ecosystem service provision, water quality and hydromorphology.

Policy GI4: Sustainable Drainage Systems

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.

Policy GI5: Climate Resilience

Policy QDP1: Successful and Sustainable Neighbourhoods

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP3: Neighbourhood Context

Policy QDP6: Public Realm

Policy QDP7: High Quality Design – Development General

Policy QDP7: High Quality Design – Street Frontage

Policy QDP7: High Quality Design – Street Width and Height

Policy QDP7: High Quality Design – Adaptability and Inclusivity

Policy QDP8: High Quality Design – Building Height and Density Guide (BHDG)

Policy QDP9: High Quality Design - Building Height and Density

Policy QDP10: Mix of Dwelling Types

Policy QDP11: Materials, Colours and Textures

Policy H1: Housing Strategy and Interim Housing Need and Demand Assessment

H1 Objective 12:

Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

- there are unique site constraints that would prevent such provision; or*
- that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or*
- the scheme is a social and / or affordable housing scheme.*

Note: Build-To-Rent (BTR) residential developments shall comply with the Sustainable Urban Housing: Design Standards for New Apartments (2020) (or any superseding Section 28 Ministerial Guidelines).

Policy H7: Residential Design and Layout

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Policy H8: Public Open Space

Policy H9: Private and Semi-Private Open Space

Policy H10: Internal Residential Accommodation

Policy H11: Privacy and Security

Policy H13: Residential Consolidation

H13 Objective 2:

To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 12:

Implementation and Monitoring.

Policy H14: Residential Extensions

H14 Objective 1:

Policy SM2: Walking and Cycling

Policy SM7: Car Parking and EV Charging

Policy COS5: Parks and Public Open Space – Overarching

COS5 Objective 7:

To require at the sole discretion of the Planning Authority a pro rata contribution in lieu of provision of public open space where, due to the small size, configuration or location of a particular development or on sites with less than three units it is not possible to provide functional public open space on site.

Policy E3: Energy Performance in Existing and New Buildings

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.3.8 Architectural Conservation Areas

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management

12.4.3 Riparian Corridors

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.5.4 Public Realm: (At the Site Level)

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12.6.1 Mix of Dwelling Types

12.6.7 Residential Standards

12.6.8 Residential Consolidation

12.6.10 Public Open Space

12.7.1 Bicycle Parking / Storage Standards

12.7.4 Car Parking Standards

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

12.6.8 Residential Consolidation Infill Sites

Development on infill sites should meet the following criteria:

- Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual;*
- A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes.*
- Larger sites will have more flexibility to define an independent character;*
- While the minimum standards set will be sought in relation to refurbishment schemes it is recognised that this may not achieve a positive planning outcome, SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2022-2028 Implementation and Monitoring (IM) particularly in relation to historic buildings, 'living over the shop' projects, and tight (less than 0.25 Hectares) urban centre infill developments. In order to allow for flexibility, the standards may be assessed on a case-by-case basis and if considered appropriate, reduced in part or a whole, subject to overall design quality in line with the guidelines*
- Sustainable Urban Housing: Design Standards for New Apartments, 2020;*
- Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street;*
- Where the proposed height is greater than that of the surrounding area a transition should be provided (See Chapter 5, Section 5.2.7 of this Chapter and Appendix 10: Building Height and Design Guide);*
- Subject to appropriate safeguards to protect residential amenity, reduced public open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to*

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housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops;

- *Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area;*
- *All residential consolidation proposals shall be guided by the quantitative performance approaches and recommendations under the 'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' and / or any updated guidance;*
- *It should be ensured that residential amenity is not adversely impacted as a result of the proposed development;*
- *Delivery of Public Open Space and Contribution in Lieu shall be in accordance with the provisions set out under Section 8.7.4 of Chapter 8: Community Infrastructure and Open Space.*

12.6.8 Backland Development

The design of development on backland sites should meet the criteria for infill development in addition to the following criteria:

- *Be guided by a site analysis process in regard to the scale, siting and layout of development;*
- *Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area;*
- *Demonstrate that there is no undue overlooking, and that overshadowing is assessed having regard to 'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' or any updated guidance;*
- *Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.*

Relevant Government Guidelines

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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).

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 are:

- Zoning and Council Policy
- Residential and Visual Amenity
- Density
- Accommodation and Open Space
- Roads
- Parks
- Environmental Health
- Drainage
- Green Space Factor
- Transport Infrastructure Ireland
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Principle of development/ Zoning and Council Policy

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity.' Residential development is permitted in principle and therefore a development consisting of three, three-storey residential units would be acceptable subject to accordance with the relevant provisions of the County Development Plan.

It is noted that under SD18A/0356, planning permission was granted in April 2019 for the construction of 3 dwellings on the subject site. While this consent has not been implemented, it remains valid until July 2024 (taking account of grant and Covid days). Accordingly, the principle of the residential use of the site for three units has been established.

The subject site is 0.133 hectares as stated and is considered infill/backland and as such any development must be consistent with the policies and objectives of the South Dublin County Development Plan 2022 – 2028 including **12.6.8 Residential Consolidation Infill Sites and Backland Development** of Chapter 12 Implementation.

Residential and Visual Amenity

Residential

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The previous application for this site granted permission by ABP on appeal (ABP-304447-19) reduced the number of dwellings from four to a terrace of three with pitched roofs with a ridge height of approximately 6.88m. The proposed calls for flat roof with a revised ridge height of 8.4m at its highest point which is substantially in excess of the previous granted permission but is consistent with the ridge height of the existing dwelling to the north of the site. The applicant has designed the proposed units with a rear balcony at first floor level. This would ordinarily not be an appropriate location for a balcony given the potential for overlooking of existing dwellings to the south but given the proposed development would sit approximately 1.2m lower than the rear gardens of the existing dwellings and the relative height of the existing rear boundary wall at 4.85m, it is considered **acceptable in this instance**.

The 2nd floor rear window of the proposed development is highlighted as opaque on the plans provided to mitigate any unwanted overlooking of the neighbouring dwellings and associated private open space. The Planning Authority would maintain concerns in relation to the levels of daylight for the proposed dwellings. **Additional Information** should be requested in this regard. There is a large, glazed area facing due east which would allow for sufficient solar gain and the applicant should consider reducing the size of the southern elevation window.

The fenestration on the northern elevation has resulted in a relatively blank façade as there is only glazing proposed at ground floor level. Section 3 of the South Dublin County Council Building Height and Density Guide states:

The form, massing and height of proposed developments should be carefully modulated so as to 'maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light'.

It is understood that the applicant has the protection of the residential amenity of the occupants of No.4 Manor Avenue at the forefront when designing the front façade in order to reduce the potential for overlooking but this has resulted in a lack of natural light throughout the day. Again, the applicant has attempted to mitigate this by including roof lights above the northern elevation at first floor roof level, but this is not deemed sufficient, especially for the mid terrace and westernmost units. Furthermore, the ground floor rooms that have windows are proposed to be used as bedrooms and as such, windows at first floor level would add to the feeling of passive surveillance. It is considered that windows on the northern elevation could be obscured in this context and that in combination with the rooflights and windows on the southern elevation would be acceptable and should be demonstrated via **Additional Information**. The windows on the proposed eastern elevation are appropriate but serve to highlight the natural light deficiencies of the other units.

The applicant has included a proposed 2nd floor private amenity space which would be partially obscured by timber slated fencing which although would not be appropriate typically, given the constraints of the site is **acceptable** as it is partially fulfilling the private open space requirements.

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The additional height from what was approved on appeal could potentially result in a significant reduction in the levels of daylight and sunlight to the adjoining properties and the associated areas of private open space. Accordingly, the applicant should provide a comprehensive daylight and sunlight analysis report demonstrating the acceptability of the potential impact by **Additional Information**. Furthermore, the applicant should submit a reasoned justification for the increased building height proposed as a necessary or desirable component in making optimal use of the capacity of the development site over alternative design approaches in line with prevailing heights.

Overall, additional information is required to address the issues as highlighted in regard to the residential amenity of the area.

Visual

The contemporary design approach adopted by the applicant is welcomed but the County Development Plan states:

On smaller sites of approximately 0.5 hectares or less a degree of integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes.

The proposed development does not comply with the provisions of the County Development Plan in this context and does not sit sympathetically within architectural language of the surrounding area. Notwithstanding this, given that the site is enclosed on all sides it will not be visible from any street level vantage point and would not therefore be overly jarring. The fenestration issues have been considered and should be addressed via Additional Information.

The massing and scale have been appropriately considered and vertical separation has been achieved throughout the terrace which is appreciated. The materials do not mirror those of the surrounding dwellings but are in-keeping with the design approach adopted and assist in defining the developments unique characteristics and reflect the sites industrial heritage.

Overall, the proposed development is visually acceptable subject to the additional information required regarding fenestration.

Density

The density calculation for the proposed site should be closer to 6 units on a site of 0.133hectares as a result of its location and proximity to public transport where higher densities are preferred. Notwithstanding this, the site is relatively linear in nature and the unfavourable access for pedestrians and other road users means that **a lower density is appropriate in the site context.**

Internal Accommodation & Private Open Space

| Section 5.3.2 of the Quality Housing | Requirement | Provision (sq.m) for each |
|--------------------------------------|-------------|---------------------------|
|--------------------------------------|-------------|---------------------------|

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| for Sustainable Communities Guidelines. | (sq.m) | house |
|--|---------------|--------------------|
| Gross Floor Area | 110 | 160 |
| Minimum main living area | 15 | 45.7 |
| Aggregate living area | 37 | 64.3 |
| Aggregate Bedroom Area | 36 | 37.6 |
| Storage | 6 | 10 |
| Living room width | 3.8m | 7.275m |
| Double bedroom(s) width | 2.8m | 2.8m, 2.8m, 5.125m |
| Main bedroom for house above 3 persons | 13 | 14.4 |
| Double bedroom area | 11.4 | 11.8, 11.4 |

The internal accommodation of the proposed dwellings therefore generally accords with the Quality Housing for Sustainable Communities and the County Development Plan.

Table 3.20 of the County Development Plan requires a minimum of 60sqm for 3-bedroom houses with the following exception as per **12.6.8 Residential Consolidation:**

A relaxation in the quantum of private open space may be considered on a case by-case basis whereby a reduction of up to a maximum of 10% is allowed, where a development proposal meets all other relevant standards and can demonstrate how the proposed open space provision is of a high standard, for example, an advantageous orientation, shape and functionality;

| Unit Number | Rear Garden | 1 st Floor Terrace | 2 nd Floor Terrace | Total |
|-------------|-------------|-------------------------------|-------------------------------|---------|
| 1 | 36.3sqm | 10.1sqm | 17.6sqm | 64sqm |
| 2 | 41.3sqm | 10.1sqm | 17.6sqm | 69sqm |
| 3 | 50.5sqm | 10.1sqm | 17.6sqm | 78.2sqm |

Although the 2nd floor terrace is not desirable in terms of the residential amenity of the area, it is considered appropriate in the context of the development overall and it is considered that the proposed development meets the requirements for private open space provision. Given the relatively small area of the rear amenity space, a **condition** revoking the Section 4 exempted development entitlements should be attached in respect of extensions.

Roads

The proposed development is located on a narrow lane with haphazard development along the northern side. The Roads Department recommend a **refusal of permission** and submitted the following report:

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Description:

Demolition of the existing former two storey steelworks factory. Construction of 3 flat roof, terraced, three storey, three bedroom houses and all associated site development works above and below ground.

Access:

The site is located at the end of a narrow laneway which is bounded by a hedge and walls. The laneway is in charge up to a point which corresponds with the red line boundary shown on the application drawings. There is one other house/driveway which is accessed off the section of laneway which is not taken in charge.

The laneway varies in total width between 4.6m and 4.9m. The carriageway width along the lane is approximately 3.0m in places. The width, existing edge constraints and bend in the lane would make it difficult for two vehicles to pass should they meet on the lane.

There appears to be a number of gates along the laneway. It would be preferable to remove these gates to the residential development in order to avoid a gated development and to allow access.

Parking:

Table 12.26 of the SDCC Development Plan 2022-2028 sets the Maximum Parking Rate for a 3-Bed dwelling at 2 no. spaces.

The proposal is to provide 4 no. spaces for the 3 no. dwellings. This would equate to 1.33 parking spaces per dwelling.

Due to the access laneway being narrow and lacking any pedestrian or public lighting facilities, it would be reasonable to assume that the vast majority of journeys to and from the site will be made by car. SDCC Roads Dept. therefore considers the parking provision to be low. This under provision could lead to the haphazard parking of residents and visitor's vehicles resulting in a traffic hazard.

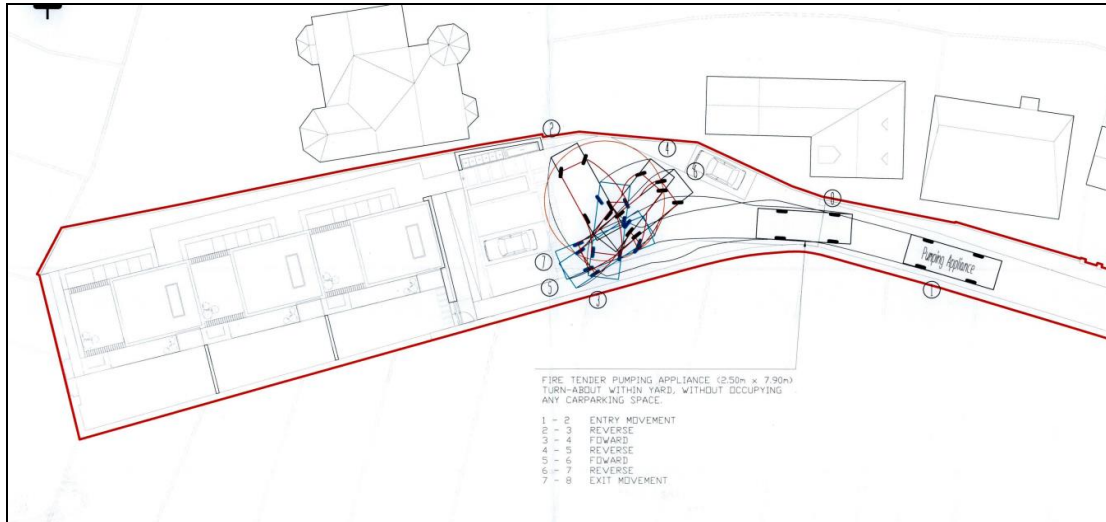
Turning Movements:

The applicant has submitted a swept path analysis showing the turning movements of service vehicles on the site. SDCC Roads Dept. has serious concerns around the number and complexity of movements required for these vehicles to turn. Furthermore, the manoeuvrability of service vehicles is completely reliant on a clear path being available. As noted above, the low parking provision would increase the possibility of car being parked outside designated parking bays.

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Roads Recommend Refusal.

SDCC Roads Dept. recommend refusal for the following reasons:

1. The under provision of car parking based on the lack of pedestrian facilities at the site which could result in a traffic hazard due to illegal or dangerous parking practices.
1. The multi-movements required to turn service vehicles is hazardous and totally dependent on a clear path being available at all times.

The report from the Roads is noted and considered appropriate as the manoeuvres required to turn service vehicles is not consistent with proper planning or sustainable development of the area. Furthermore, given the obvious reliance on the car to access the site, the parking provisions are considered inadequate. Notwithstanding this, the previous application granted permission under ABP-304447-19 was not excessively different to the proposed development in terms of parking and turning space provisions albeit, the location of the four spaces was more appropriate and the applicant should revise the parking layout to group all spaces together and remove the side entrance to the rear garden of Unit 1 by **Additional Information**.

Parks

The Parks Department require **Additional Information** and the following report was received:

COMMENTS:

In relation to the above proposed development, this section has reviewed the application and has the following comments.

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Landscape Plan

The submitted landscape plan lacks sufficient information. The applicant therefore requested to provide a landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations. The landscape proposals to be prepared by a suitably qualified landscape architect.

Open Space Provision

It is still not clear from the information submitted if proposal would meet the relevant open space requirements for this development. The applicant is requested to submit in table form the percentage (%) and area in sq.m the of the proposed private, semi-private and public open space provision within the site. The applicant should demonstrate compliance with the South Dublin County Development Plan 2022-2028 in relation to open space Sections 8.7 and 12.6.10. Public open space shall be provided at the rates specified in Table 12.22 below. The occupancy rate used for the purposes of public open space calculations is 3.5 persons in the case of dwellings with three or more bedrooms and 1.5 persons in the case of dwellings with two or fewer bedrooms.

Table 12.22: Minimum Public Open Space Standards

| Land Use | Public Open Space Standards (Minimum) |
|--|--|
| Overall Standard | 2.4 Ha per 1,000 Population |
| New Residential Development on Lands Zone RES-N | Minimum 15% of site area |
| New Residential Development on Lands in Other Zones including mixed use | Minimum 10% of site area |
| Institutional Lands / 'Windfall' Sites | Minimum 20% of site area |

Arboricultural Impact

As per the submitted Arboricultural Assessment Report prepared by Arbor Care the impact on the existing trees as a result of the proposed development will be minimal. It is not proposed to remove any of the existing trees to accommodate the proposed development. The applicant is therefore requested to adhere and implement all tree and ground protection measures specified within Section 6 Tree Protection contained within the submitted report.

SUDS

There is a lack of SuDS (Sustainable Drainage Systems) shown for the proposed development. Natural SUDS features shall be incorporated into the proposed drainage system. The SUDS shall be an integrated multi-disciplinary approach which locally addresses water quality, water quantity,

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and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022.

Green Infrastructure

As required under Section 12.4.2 of the CDP 20222028, all planning applications shall demonstrate how they contribute to the protection or enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the application submission, having regard to the following:

- *In the case of small-scale developments this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone;*
- *Where the development site is located within or close to a Core or Corridor the development should, at a minimum, protect any existing GI assets and enhance same (for example, not breaking a GI Corridor but enhancing same with a connecting piece of planting, retaining hedgerows or woodlands);*
- *The characteristics and assets of the proximate GI Core, Corridor or SteppingStone should be reflected within proposed development, for example continuation of hedgerows, tree planting, waterways;*
- *Development should seek to enhance or restore features that act as ecological corridors, particularly water features, hedgerows, tree lines, areas of un-cultivated land. These, or some element of them, should be incorporated into the proposed development to create pathways for wildlife and / or increase amenity value;*
- *Development sites which are not located proximate to designated GI Cores or Corridors should identify the nearest designated GI Core, Corridor or Stepping Stone and make provision for GI interventions on the site which could eventually provide a link to local Stepping Stones, Cores or Corridors;*
- *Developers should be aware that ecological corridors can also act to quickly spread non-native invasive species. Therefore, identification and control of invasive species site should be included in planning applications and the GI Plan.*

All development proposals shall be accompanied by a Green Infrastructure Plan, which will normally be submitted as part of the suite of Landscape Plans that are required for a development. Plans shall include the following:

- *Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;*
- *Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;*
- *Indicate how the development proposals link to and enhance the wider GI Network of the County;*
- *Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site; à Proposals for identification and control of invasive species.*

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GREEN SPACE FACTOR (GSF)

The GSF is a score-based requirement that establishes minimum standards for landscaping and GI provision in new developments. Minimum scoring requirements are based on the land-use zoning of a site (See GI5 Objective 4), this applies to all development comprising 2 or more residential units and any development with a floor area in excess of 500 sq m. Qualifying developments are required to reach the minimum Green Space Factor (GSF) score established by their land use zoning. Developers can improve their score by both retaining and enhancing existing landscape features and incorporating new features. A developer will be required to specify the GSF measures included within a proposed development as part of the submitted Green Infrastructure Plan and Landscape Plan. A Green Space Factor Guidance Note will also be made available on the Council's website under the Development Plan section setting out the applicable weightings and scorings. Where applicable, a completed worksheet shall be submitted with the Green Infrastructure Plan and Landscape Plan in support of a proposed development.

The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following ADDITIONAL INFORMATION be requested:

1. Landscape Design Proposals

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:

- i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.*
- i. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.*
- ii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDS features including swales and integrated/bio-retention tree pits.*
- iii. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site*
- iv. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development*
- v. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show*

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connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.

2. Boundary Treatment

The applicant is requested to submit elevation drawings specifying the proposed boundary treatment to the front of the site.

3. Sustainable Drainage Systems

(A) The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.

(B) In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates, and showing what SuDS (Sustainable Drainage Systems) are proposed.

(C) SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

(D) Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

(E) The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m³ . Show in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m² are proposed such as, green roofs, permeable paving, buildings, roads and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.

4. Green Infrastructure and Green Space Factor (GSF)

The applicant is requested to provide additional information as follows and in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028: (a) To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network. (b) To demonstrate how the appropriate Greening Factor will be

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achieved for the relevant land use zoning objective. See link to the Green Space Factor Worksheet: Related Documents - SDCC

5. Tree Protection Measures

No works in connection with the proposed development shall commence unless the tree protection measures have been implemented in full in accordance with the submitted tree protection plan and arboricultural impact assessment report. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

Reason: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area

The Additional Information as specified by the Parks is considered appropriate and should be requested from the applicant.

Environmental Health

No report was received from the Environmental Health Officer but notwithstanding this, there is unlikely to be a significant impact on the accepting site requiring substantial input.

Drainage

The Water Services section have no objections to the proposed development subject to **conditions**.

Irish Water require **Additional Information** and the following report was received:

1. Water

1.1 Proposed hydrants are too close to proposed development and do not meet Irish water standards.

1.2 Submit a drawing showing a revised watermain layout of proposed development that comply with Irish Water Standards.

1.3 Submit a Confirmation Letter of Feasibility from Irish Water for proposed development.

1.4 Submit a pre connection enquiry with Irish Water.

- Prior to the commencement of development, the applicant or developer shall enter into a water connection agreement(s) with Irish Water.

Reason: In the interest of public health and to ensure adequate water facilities.

2. Foul

2.1 Submit a Confirmation Letter of Feasibility from Irish Water for proposed development.

2.2 Submit a pre connection enquiry with Irish Water.

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- Prior to the commencement of development the applicant or developer shall enter into a wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health and to ensure adequate water facilities.

The **Additional Information** as required by Irish Water is considered appropriate and the applicant should be requested to provide this as part of the overall Additional Information request.

Part V Social Housing

The proposed development relates to 3 residential units and therefore, under Section 97 of the Planning and Development Act 2000 (as amended), Section 96 of the same Act does not apply with regards to the provision of social or affordable housing.

Screening for Appropriate Assessment

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 the construction of three, three-storey, three-bed residential units.

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.

Environmental Impact Assessment (EIAR)

Having regard to the modest nature of the 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.

Other Considerations

| | |
|--|---|
| Development Contributions | |
| Planning Reference Number | SD22A/0373 |
| Summary of permission granted & relevant notes: | Terrace of three, 3 storey, 3-bed residential units |
| Are any exemptions applicable? | No |

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| | |
|--|-------------|
| If yes, please specify: | |
| Is development commercial or residential? | Residential |
| Standard rate applicable to development: | 104.49 |
| % reduction to rate, if applicable (0% if N/A) | 0 |
| Rate applicable | €104.49 |
| Area of Development (m2) | 480 |
| Amount of Floor area, if any, exempt (m2) | 0 |
| Total area to which development contribution applies (m2) | 480 |
| Total development contribution due | €50,155.20 |

| SEA Monitoring Information | |
|-----------------------------------|--------------------------|
| Building Use Type Proposed | Floor Area (sq.m) |
| Residential – House | 480 |
| Land Type | Site Area (Ha.) |
| Brownfield/Urban Consolidation | 0.133 |

Conclusion

A development consisting of three, three-storey residential units is acceptable in principle subject to adherence to the provisions of the South Dublin County Development Plan 2022 – 2028.

Notwithstanding this, there are outstanding issues that should be addressed by the applicant by Additional Information to include the following:

- A full Daylight/Sunlight and Overshadowing Analysis.
- A reasoned justification for the increased building height.
- Redesign of the proposed development including adding obscure glazed windows at first floor level on the northern elevations and providing a smaller, unobscured glazed window on the 2nd floor southern elevation.
- Remove the access to the rear garden of Unit 1 and locate all car parking directly to the east of Unit 1 to improve the accessibility for emergency services etc.
- A fully detailed landscape plan with full works specification.
- Elevation drawings specifying the proposed boundary treatment to the front of the site.
- Provide appropriate SuDS measures.
- Provide a Green Space Infrastructure Plan.

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- Demonstrate appropriate tree protection measures.
- Demonstrate in table form the percentage (%) and area in sqm the of the proposed private, semi-private and public open space provision within the site.
- Provide plans demonstrating an appropriate distance to the hydrants.
- Submit a drawing showing a revised watermain layout of proposed development that comply with Irish Water Standards, Confirmation Letter of Feasibility from Irish Water and pre-connection enquiry with Irish Water for both water and foul connections.

Recommendation

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

1. The applicant should provide a comprehensive daylight/sunlight and overshadowing analysis report, prepared in accordance with the relevant BRE guidance to demonstrate the following:
 - A. The potential impact on the neighbouring dwellings and associated areas of private open space;
 - B. The proposed dwellings and associated areas of private open space comply with the relevant standards.

Note: Where relevant the applicant should provide a comparative assessment with the development consented under Reg. Ref. SD18A/0356 (as granted by A.B.P)

2. The applicant should submit a reasoned justification for the increased building height proposed as a necessary or desirable component in making optimal use of the capacity of the development site over alternative design approaches in line with prevailing heights of the surrounding dwellings.
3. The applicant should submit revised drawings to include elevations, floor plans and sections indicating the following amendments:
 - i) Include obscure glazing at first floor level on the northern elevation to improve daylight provision and passive surveillance.
 - iii) Remove the side access to the rear of Unit 1.
 - iv) Group all car spaces to the east of Unit 1.
4. There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:

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- i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.
 - ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.
 - iii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.
 - iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site
 - v. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development
 - vi. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.
5. The applicant is requested to submit elevation drawings specifying the proposed boundary treatment to the front of the site.
6. (A) The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.
- (B) In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates, and showing what SuDS (Sustainable Drainage Systems) are proposed.
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published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

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7. The applicant is requested to provide additional information as follows and in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028: (a) To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network. (b) To demonstrate how the appropriate Greening Factor will be achieved for the relevant land use zoning objective. See Green Space Factor Worksheet.
8. The applicant should demonstrate in table form the percentage (%) and area in sqm the of the proposed private, semi-private and public open space provision within the site.
9. The applicant should provide the following:
 - Plans demonstrating an appropriate distance to the hydrants.
 - Drawings showing a revised watermain layout of proposed development that comply with Irish Water Standards.
 - Confirmation Letter of Feasibility from Irish Water and pre-connection enquiry with Irish Water for both water and foul connections.

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REG. REF. SD22A/0373

LOCATION: Former steelworks factory, Manor Avenue, Terenure, Dublin 6W

Colm Harte

Com Harte,
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: 22/11/22

Gormla O'Corrain

Gormla O'Corrain,
Senior Planner