

Comhairle Chontae Atha Cliath Theas

PR/1531/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0387 **Application Date:** 10-Oct-2022
Submission Type: New Application **Registration Date:** 10-Oct-2022
Correspondence Name and Address: DublinPlanning 77, Lower Camden Street, St. Kevin's, Dublin 2
Proposed Development: Change of use from existing office use to a two bedroom residential dwelling house.
Location: 3, Main Street, Tallaght, Dublin 24
Applicant Name: Susan McSweeney
Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.009 hectares.

Site Description:

The application site contains a two-storey mid-terrace dwelling, that is currently being used as an office. The building forms the centre of an attractive run of traditional terraced dwellings along Main Street, Tallaght. The surrounding area is a mixture of residential and village uses.

Site Visited: 7 November 2022

Proposal:

Permission is sought for the following:

- **Change of use from office to** 2-bedroom residential **dwelling house** (69 sq.m)

Zoning:

The site is subject to zoning objective 'VC' – *'To protect, improve and provide for the future development of Village Centres.'*

Consultations:

Roads: No objection
Water Services: No objection
Irish Water: No objection, **conditions** recommended

SEA Sensitivity Screening

Indicates overlap with:

- Tallaght Village Architectural Conservation Area (ACA)

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- Record of Monuments and Places 2016
- Areas of Archaeological Potential 2016

Submissions/Observations /Representations

Submission expiry date – 14 November 2022

No submissions or observations were received.

Relevant Planning History

SD06A/0796: Permission for (a) change of use of existing building from Opticians to office space, (b) erection of two storey extension to the rear of existing building of 33.60sq.m. with ridge height lower than existing building. The proposed extension contains two number offices with open yard bound with black walls & entrance doors onto back lane. **Split Decision – Permission granted for change of use, permission refused for two-storey rear extension.**

Relevant Enforcement History

No recent, relevant, files recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Chapter 3 Natural, Cultural and Built Heritage

Section 3.5.3 Architectural Conservation Areas

Policy NCBH20: Architectural Conservation Areas

Preserve and enhance the historic character and visual setting of Architectural Conservation Areas and carefully consider any proposals for development that would affect the special value of such areas.

NCBH20 Objective 3:

To ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area (ACA) preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.

NCBH20 Objective 4:

To address dereliction and to welcome, encourage and promote appropriate and sensitive reuse and rehabilitation of buildings, building features and sites within Architectural Conservation Areas.

Section 3.6.1 Adapting and Reusing Historic Buildings

Policy NCBH24: Adapting and Reusing Historic Buildings

Support and encourage the reuse and adaptation of historic, traditional, and older vacant and derelict buildings as a key component of promoting sustainable development and achieving compact growth and as a catalyst for the revitalisation of historic village and town centres.

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NCBH24 Objective 1:

To encourage the repurposing and reuse of older vacant and derelict structures, particularly within towns, villages and Architectural Conservation Areas.

NCBH24 Objective 4:

To ensure the reuse, adaption and upgrade of historic buildings is in accordance with conservation principles including minimal intervention, reversibility, respectful alteration and repair.

Section 3.6.3 Climate Change Adaptation and Energy Efficiency in Historic Buildings

Chapter 4 Green Infrastructure

Section 4.1 Methodology

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

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 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 12.3.8. Architectural Conservation Areas

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Relevant Government Guidelines

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

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

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, Department of the Environment, Heritage and Local Government, (2009).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021)

Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Visual and Residential 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 'VC' – *'To protect, improve and provide for the future development of Village Centres.'* Residential development is permitted in principle uses under this zoning objective. It is noted that Offices less than 100 sq.m are permitted in principle under this zoning objective, meaning both the existing and proposed use are conforming uses, per the Table 12.7 zoning matrix.

Tallaght Town Centre Local Area Plan 2020

The site is located within The Village neighbourhood of the LAP, which has the aim to *'Consolidate existing mixed use residential neighbourhood within a high quality place of intimate scale and character.'* Key objective VL6 seeks to *'Protect and enhance setting of protected structures and qualities of the ACA.'* It is considered that the proposal would accord with the objectives of the LAP in this regard.

Visual and Residential Amenity

The front and rear elevations would remain the same, with no alterations proposed to facilitate the change of use.

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Internal alterations would provide for 2 bedrooms and storage on the first floor, and a living room, kitchen and bathroom on the ground floor. The bedrooms would meet, and exceed, the minimum standards required in the Quality Housing for Sustainable Communities Guidelines (2007). The aggregate living accommodation is slightly under the requirements of the Guidelines, providing approximately 26 sq.m rather than 28 sq.m. This is not considered to be a significant shortfall, especially when it is noted that the proposed works would restore the building back to its original intended purpose, therefore the requirement to provide modern residential standards is not considered to be critical.

A rear courtyard area of approximately 25 sq.m would be provided. While this is below the Development Plan standard for new dwellings, as this is a change of use, returning a building back to its original purpose, it is not considered that the development has to comply with all the requirements of providing a new dwelling. In this regard, the open space provision is considered acceptable. Nevertheless, a **condition** removing exempted development rights for rear extensions and sheds in the rear garden should be imposed.

The Roads Department have reviewed the application and have stated no objection, noting there are no alterations to the layout for parking or vehicle access. It is noted that no parking is indicated for the dwelling. There is a rear laneway, but it does not appear that this would provide vehicular access. There are pay and display parking bays immediately to the front of the house. Given the dwellings location, the lack of parking is not considered to be significant and would accord with Development Plan objectives to encourage sustainable transport modes, and reduce parking provision, where possible. This is considered to be 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 Development Plan.

The structure would not increase the amount of hardstanding at the site, as it relates entirely to an internal change of use. No works appear to be proposed to the external fabric of the building, or external areas within the site boundary. In this regard, there is no risk to existing GI in the area, and limited scope to require an increase or improvement of GI at the site.

Water Supply and Wastewater

Water Services have reviewed the application and have stated no objection to the development, noting that all surface and foul water drainage must be kept separate. This is considered appropriate to include as a note on any grant of permission. Irish Water have also stated no objection, recommending pre-connection agreements are sought. It is noted that the works relate only a change of use, and there would be no requirement for new infrastructure to service the property, so these **conditions** are not considered appropriate.

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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 located within an established village area and comprises the change of use of an existing building from office to residential.

Having regard to:

- the scale and 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

Having regard to the 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.

Other Considerations

Development Contributions

Summary of permission granted & relevant notes:	Change of Use - office to residential
Are any exemptions applicable?	No
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)	69
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	69
Total development contribution due	€7,209.81

SEA Monitoring Information

Building Use Type Proposed:	Change of use – office to residential
Floor Area:	69 sq.m
Land Type:	Urban
Site Area:	0.009 Hectares.

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Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design of the development proposed to be amended it is considered that, subject to **conditions** set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

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

FIRST SCHEDULE

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

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Permission Required for Class 1 & 3 Exemptions.
Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 (extensions to dwellings) or Class 3 (sheds/garages) of Part 1 of Schedule 2 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.
REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

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3. Restriction on Use.

The house shall be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

REASON: To prevent unauthorised development.

4. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €7, 209.81 (Seven Thousand Two Hundred and Nine Euros and Eighty One cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.


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REG. REF. SD22A/0387

LOCATION: 3, Main Street, Tallaght, Dublin 24



Jim Johnston,
Senior Executive Planner

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

Date: 02/12/22



Gormla O'Corrain,
Senior Planner