

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0399 **Application Date:** 25-Oct-2022
Submission Type: New Application **Registration Date:** 25-Oct-2022

Correspondence Name and Address: EDA Architecture 11, Priors Point, Carrick On Shannon, Co. Leitrim

Proposed Development: Change of use from all day creche to a preschool sessional childcare facility consisting of two sessions of 22 children per session per day: 9:15am to 12:15pm and 12:30pm to 3:30pm; Retention of an extension to the existing sunroom over the previous patio area and a WC attached to the extended sunroom, along with associated works.

Location: 36A Hillcrest Grove, Lucan, Co. Dublin

Applicant Name: John Kelly

Application Type: Permission and Retention

Description of Site and Surroundings:

Site Area:
Stated as 0.0269 hectares.

Site Description:
The subject site is located towards the end of Hillcrest Grove and is comprised of a two storey detached building with a creche at ground floor level and an apartment at first floor level.

The wider surrounding context of the subject site includes two storey residential dwellings of a generally uniform architectural form and scale to the north and west within the established residential area of Hillcrest, the Lucan Shopping Centre to the east and south east and the Somerton residential development to the south.

Proposal:
Permission is sought for the Change of Use of an existing creche facility to a sessional childcare facility and retention permission is sought for an extension to an existing sunroom and toilet attached to the sunroom and all ancillary site works.

No additional construction work or modifications to the existing building appear to be proposed.

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

Zoning:

The subject site is subject to zoning objective RES - '*To protect and / or improve Residential Amenity*' under the South Dublin County Development Plan 2022-2028.

Overlap is also indicated with the following Development Plan Map layers:

- Bird Hazards.
- Conical Surface – Casement Aerodrome.
- Inner Horizontal Surface – Weston Airport.
- Outer Horizontal Surface – Dublin Airport.

Consultations:

Drainage and Water Services Department – No objection, subject to conditions.

Irish Water – No objection, subject to conditions.

Roads Department – Additional Information required.

SEA Sensitivity Screening:

No overlap is indicated with any relevant SEA Sensitivity Layers.

Submissions/Observations /Representations:

Final date for submissions/observations 28th November 2022.

One submission was received, with the key points summarised below:

- Negative impact on property value.
- Proposal will exacerbate an existing traffic safety and parking issue.
- A proposed increase in the number of children permitted under SD05A/0003.
- Traffic and pedestrian safety hazard created by the potential increase in traffic resulting from the proposed development.

The key points outlined above have been considered in the assessment of the proposed development, as outlined throughout this Report.

Recent Relevant Planning History:

SD06A/0472 – No. 36, Hillcrest Grove, Lucan, Co. Dublin.

Sunroom and covered patio.

SDCC Decision: Grant Permission, subject to conditions.

SD05A/0003 – No. 36, Hillcrest Grove, Lucan, Co. Dublin.

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

Two storey crèche, apartment, and associated works.

SDCC Decision: Grant Permission, subject to conditions.

SD04A/0733 - No. 36, Hillcrest Grove, Lucan, Co. Dublin.

Two storey crèche/playgroup

SDCC Decision: Refuse Permission

SD02A/0591 - No. 36, Hillcrest Grove, Lucan, Co. Dublin.

House in side garden, with the ground floor and part of the first floor used as a crèche, and a turning circle for cars in the front garden of both houses.

SDCC Decision: Grant Permission, subject to conditions.

S01A/0723 - No. 36 Hillcrest Grove, Hillcrest, Lucan, Co. Dublin: House in the side garden, use of the ground floor as a crèche and turning circle for cars in the front gardens.

SDCC Decision: Refuse Permission

Recent Relevant Enforcement History

No recent relevant enforcement history recorded for the subject site.

Pre-Planning Consultation

None recorded.

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

Chapter 3 Natural, Cultural and Built Heritage

Policy NCBH3 Natura 2000 Sites

NCBH3 Objective 3 (Appropriate Assessment)

Chapter 4 Green Infrastructure

Policy GII Overarching

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.

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

Policy GI2 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.

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.

Chapter 7 Sustainable Movement

Section 7.10 Car Parking

Policy SM7 Car Parking and EV Charging

SM7 Objective 1 Maximum car parking standards

Chapter 8 Community Infrastructure and Open Space

Section 8.4.3 Universally Accessible Social / Community Facilities

Policy COS2: Social / Community Infrastructure

Section 8.9 Early Childhood Care and Education Facilities

Policy COS7: Childcare Facilities

Support and facilitate the provision of good quality and accessible childcare facilities at suitable locations within the County in consultation with the County Childcare Committee.

COS7 Objective 1:

To support and facilitate the provision of childcare facilities on well located sites within or close to existing built-up areas, including adjacent to school sites, and within employment areas where the environment is appropriate, making provision to encourage sustainable transport, consistent with NPO 31 of the NPF.

COS7 Objective 5:

To support the provision of small-scale childcare facilities in residential areas subject to appropriate safeguards to protect the amenities of the area, having regard to noise pollution and traffic and parking management

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

COS7 Objective 6:

To support the provision of childcare facilities within or co-located with community buildings, such as community centres and schools.

Chapter 10 Energy

Section 10.2 Energy Measures

Policy E3 Energy Performance in Existing and New Buildings

Chapter 12 Implementation & Monitoring

Section 12.3 Natural, Cultural and Built Heritage

Section 12.3.1 Appropriate Assessment

Section 12.3.3 Environmental Impact Assessment

Relevant Government Guidelines

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

The Childcare Facility Guidelines for Planning Authorities, DEHLG (2001).

We like this Place - Guidelines for Best Practice in the Design of Childcare Facilities Dept. of Justice, Equality and Law Reform (2002).

Circular Letter PL3/2016. Re: Childcare facilities opening under the Early Childcare and Education (ECCE Scheme) - Department of the Environment, Heritage, and Local Government and OPW (March 2016).

Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020, Department of Transport, (2009).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage, and Local Government, (2009).

Child Care (Pre-School Services) (No. 2) Regulations 2006 (as amended), Department of Health & Children.

Assessment:

The main issues for consideration are:

- Zoning and council policy,
- Childcare Facility and Residential Amenity,
- Retention Permission for extension
- Vehicular Access and car parking,

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

- Drainage and Water Services
- Green Infrastructure.
- Screening for Appropriate Assessment.
- Screening for Environmental Impact Assessment.

Zoning and Council Policy.

The subject site is located in an area which is subject to zoning objective 'RES' '*To protect and/or improve Residential Amenity.*' Childcare facilities are Open for Consideration under Zoning Objective 'RES.' As the premises is an existing creche facility, for which permission is being sought for a change of use to a sessional childcare facility, it is considered generally to be acceptable in principle but subject to compliance with Development Plan Policies and Objectives.

Retention permission is also being sought for an extension to the existing sunroom, which is considered generally acceptable and in accordance with the 'RES' zoning objective, subject to an assessment in relation to the Development Plan Policies and Objectives.

Policy COS7 of the South Dublin County Development Plan 2022-2028 states that is it policy to:

'Support and facilitate the provision of good quality and accessible childcare facilities at suitable locations within the County in consultation with the County Childcare Committee'.

The Applicant has provided correspondence from the South Dublin County Childcare Committee which outlines their support for the proposed development of this Planning Application.

The following objectives of the Development Plan are of relevance to the subject application:

'COS7 Objective 1:

To support and facilitate the provision of childcare facilities on well located sites within or close to existing built-up areas, including adjacent to school sites, and within employment areas where the environment is appropriate, making provision to encourage sustainable transport, consistent with NPO 31 of the NPF'.

COS7 Objective 5:

To support the provision of small-scale childcare facilities in residential area subject to appropriate safeguards to protect the amenities of the area, having regard to noise pollution and traffic and parking management.'

Having regard to the above-outlined objectives and the proximity of the subject site to local schools, residential dwellings and community facilities, the proposal is considered acceptable in principle. A

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

full assessment is carried out below in order to ascertain compliance with the relevant policies, standards and requirements of the Development Plan and Government Childcare Guidelines.

Childcare Facility and Residential Amenity

The Child and Family Agency, also known as Tusla, is responsible for inspecting pre-school services under, and enforcing compliance with the 2001 and 2006 Childcare (Pre-School Facilities) Regulations. No information has been provided by the Applicant regarding the Tusla Certification of the childcare facility and the registered maximum capacity. The Applicant should be requested by way of **ADDITIONAL INFORMATION** to confirm the status of the Tusla Certification of the facility and the registered maximum capacity.

Section 12.8.4 of the Development Plan outlines the following details to be included in Planning Applications for Childcare and early educational facilities:

'Planning applications for childcare and early educational facilities should include full details in order to allow understanding of the nature and extent of the proposed development. Planning applications will be assessed on the basis of the following factors:

- *Nature of the facility (full day care, sessional, after school, and so on);*
- *Number of children to be catered for;*
- *Number of full-time and part-time staff;*
- *Intended hours of operation;*
- *Impact on residential amenity, taking into account factors such as noise, traffic and parking;*
- *Suitability of the site for the type and size of facility proposed;*
- *Availability of indoor and outdoor play space;*
- *Accessibility to public transport, walking and cycling routes;*
- *Local traffic conditions;*
- *Access, car parking and drop off facilities for staff and customers'.*

The development description outlined in the Statutory Notices indicates that the proposed development will be a pre-school sessional childcare facility catering for 22 No. children per session, operating from 9:15am to 12:15pm and 12:30pm to 3:30pm.

There is currently a creche facility operating at the subject site catering, with indoor and outdoor play space. According to the submission of the South Dublin County Childcare Committee, the existing facility caters for 22 No. children with a staff ratio of 11:1, which is the recommended Tusla requirement.

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

Retention Permission for Extension

Retention Permission is sought for a single storey extension to the existing sunroom, which projects approximately 2.8m out from the rear elevation of the building and spans an approximate width of 2.7m. The extension has a sloped roof profile, with an approximate height of 3.4m, matching that of the existing sunroom. Retention permission is also sought for the toilet which projects 1m out from the side (southern) elevation of the extended sunroom, spans a length of 2.8m and has a flat roof profile with an approximate height of 2.2m.

Having regard to the receiving context of the subject site, which includes dense tree cover to the south and the visibility of the proposed extension from the streetscape to the front of the existing dwelling, it is considered that the proposal will not adversely impact the visual and residential amenity of the subject site, adjacent properties, and the surrounding streetscape. Retention Permission for this element should therefore be Granted.

Vehicular Access and Car Parking

The Roads Department have assessed the proposed development, with their Report indicating that the following **ADDITIONAL INFORMATION** is required:

1. The applicant must submit current & projected data regarding the following so that any impact may be understood:
 - Child numbers
 - Staff numbers
 - Number of cars arriving at peak times
2. The Applicant must also submit AutoTRAK analysis showing how cars parking outside house No.36 can turn and exit safely.
3. The Applicant must submit a revised layout showing the 4no. parking spaces to be lined with permanent road-markings; with 1 of the spaces lined for mobility impaired use

Drainage and Water Services

The Drainage and Water Services Department and Irish Water have assessed the proposed development, indicating no objection, subject to **CONDITIONS**.

Green Infrastructure

The subject site is not located within a Primary or Secondary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028).

Having regard to the nature and extent of the proposed development i.e., Change of Use of an existing creche to a sessional childcare facility and retention of an extension, it is considered that

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

the proposed development will not result in a significant loss of any grassland or permeable surfaces. In this regard, there would be little impact to the existing green infrastructure network and a limited impact in terms of additional runoff from the site.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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.

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 area and comprises retention permission for an existing childcare facility. 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.

Conclusion

Having regard to the zoning objective, policies, and objectives within the South Dublin County Development Plan 2022-2028, it is considered that the Change of Use of an existing creche to a sessional childcare facility is considered to be acceptable in principle given the established use on site. However, further clarity is required on the Tusla Certification of the facility and car parking and drop off arrangements for staff and customers, to facilitate a complete assessment of the proposed development. It is therefore recommended that additional information is sought from the applicant.

Recommendation

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

1. The Applicant is requested to provide details of the TUSLA Certification of the premises and maximum registered capacity of the pre-school sessional childcare facility.
2. (i) The applicant must submit current & projected data regarding the following so that any impact may be understood:

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

- Child numbers
- Staff numbers
- Number of cars arriving at peak times

(ii) The Applicant must also submit AutoTRAK analysis showing how cars parking outside house No.36 can turn and exit safely.

(iii) The Applicant must submit a revised layout showing the 4no. parking spaces to be lined with permanent road-markings; with 1 of the spaces lined for mobility impaired use.

Comhairle Chontae Atha Cliath Theas

PR/1586/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0399

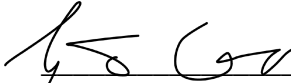
LOCATION: 36A Hillcrest Grove, Lucan, Co. Dublin



Colm 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: 15/12/22



Gormla O'Corrain, Senior Planner