

# Comhairle Chontae Atha Cliath Theas

**PR/0066/23**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0430      **Application Date:** 14-Nov-2022  
**Submission Type:** New Application      **Registration Date:** 14-Nov-2022  
**Correspondence Name and Address:** David Winston  
**Proposed Development:** Change of use of the existing single storey double bay garage and store building to be used as a one bedroom dwelling with modifications to the front and side of the building to include new solar panels, windows and doors, communal pedestrian access and parking shared with the existing dwelling, reinstatement of boundary walls and pillars and all associated site works.  
**Location:** 7, Rochfort Grove, Lucan, Co. Dublin  
**Applicant Name:** David & Amanda Cooke  
**Application Type:** Permission

### **Description of Site and Surroundings**

#### Site Description

The subject site is situated in the front garden No. 7 Rochfort Grove, Lucan, Co. Dublin and is comprised an existing single storey double garage forward of the front building line of the existing house.

The site is located towards the end of a residential cul-de-sac known as Rochfort Grove, which is comprised of 2 No. storey semi-detached dwellings of similar architectural form and scale.

#### Site Area:

Stated as 0.144 ha

### **Proposal**

Permission is sought for the Change of Use of the existing single storey double bay garage and store building to be used as a one bedroom dwelling with modifications to the front of the building to include new solar panels; windows and doors; communal pedestrian access and parking shared with the existing dwelling and all associated site works above and below ground.

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### **Zoning**

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

Overlap is indicated with the following Development Plan Map Layers:

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

### **Consultations**

Drainage and Water Services Department – Additional Information required.

Irish Water – No objection, subject to Conditions.

Parks and Public Realm Department – No objection, subject to conditions.

Roads Department – Refusal recommended.

### **SEA Sensitivity Screening**

No overlap indicated with the relevant SEA Sensitivity layers.

### **Submissions/Observations /Representations**

A number of submissions were received from third parties. A brief summary of the key points raised are outlined below:

- Adverse impact on residential and visual amenity.
- Adverse impact on car parking, vehicle access and traffic/pedestrian safety.
- Concerns as to the authorisation of the existing 'garage/shed.'
- Potential difficulties for access for emergency vehicles.

The submissions lodged with the application have been considered below in the overall assessment of the proposed development.

### **Relevant Planning History**

#### **Subject Site**

**SD18A/0453**

Change of use of the existing single storey garage and store building to be used as a 1 bedroom and study dwelling with modifications to the front of the building to include new solar panels; windows and doors; communal pedestrian access and parking shared with the existing dwelling and all associated site works.

**SDCC Decision:** Refuse Permission.

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### Reasons for Refusal:

1. Having regard to the location of the proposed development in the front garden of an existing house, and the configuration of the proposed development on the site, the proposed development would have an adverse impact on the residential and visual amenity of the neighbouring residents in the vicinity and constitutes haphazard piecemeal development. The proposed development would seriously injure the amenities, depreciate the value of property in the vicinity and would set an undesirable precedent for similar type developments in the area.
2. The proposed development has insufficient space to cater for three cars to be parked safely off-street at the entrance to the proposed and existing dwelling and has insufficient space to have safe access and egress for car parking without endangering pedestrians or other road users. This would lead to on-street parking in a cul-de sac required for turning. The proposed development, therefore, would endanger public safety by reason of traffic hazard and obstruction of road users.
3. Having regard to the absence of details relating to services and drainage, the Planning Authority is not satisfied that the applicant has demonstrated that the proposed development can be adequately serviced in accordance with the requirements for both Irish Water and Water Services Section of South Dublin County Council. The proposed development, therefore, would be prejudicial to public health.
4. The documentation submitted as part of the planning application has not successfully overcome the previous reasons for refusal under Reg. Ref. SD03A/0599.

### **SD03A/0599**

Change of use from double garage and office to single storey dwelling unit and off street car parking.

**SDCC Decision:** REFUSE PERMISSION

### **Reason for Refusal:**

1. The proposed development has insufficient space to provide four on-site car spaces. This would lead to on street parking in a cul de sac required for turning. Thus, the proposed development would endanger public safety by reason of traffic hazard.
2. The proposed development would seriously injure the amenities and depreciate the value of property in the vicinity.

**S96B/0154:** New double garage and ancillary store room (61sq.m).

**SDCC Decision:** GRANT PERMISSION

### Adjacent sites

No recent relevant Planning History in the vicinity of the subject site.

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### **Pre-Planning Consultation**

None recorded for this Planning Application.

### **Relevant Policy in South Dublin County Development Plan (2022-2028)**

#### *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 6.8 Residential Consolidation*

##### *Policy H13: Residential Consolidation*

*Promote and support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.*

##### *H13 Objective 1:*

*To promote and support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.*

##### *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.*

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### *H13 Objective 3:*

*To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 12: Implementation and Monitoring.*

### *H13 Objective 5:*

*To ensure that new development in established areas does not unduly impact on the amenities or character of an area.*

### *Section 6.8.2 Residential Extensions*

*Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.*

*H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).*

### *Section 6.8.3 Family Flats*

*A family flat refers to a temporary subdivision or extension of an existing single dwelling unit to provide semi-independent accommodation for an immediate family member (older parent or other dependent). The Council will consider family flat developments where an established need has been satisfactorily demonstrated.*

### *Policy H15: Family Flats*

*Support family flat development subject to the protection of residential and visual amenities.*

### *H15 Objective 1:*

*To favourably consider a family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation for an immediate family member or members subject to the criteria outlined in Chapter 12: Implementation and Monitoring.*

### *Extensions*

*The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.*

### *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.*

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#### *Chapter 12 Implementation and Monitoring*

#### *Section 12.6.7 Residential Standards*

#### *Section 12.6.8 Residential Consolidation*

#### *Corner/Side Garden*

- *In line with the provisions of Section 6.8 Residential Consolidation in Urban Areas the site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings ensuring no adverse impacts occur on the residential amenity of adjoining dwellings;*
- *Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain;*
- *The dwelling(s) should generally be designed and sited to match the front building line and respond to the roof profile of adjoining dwellings where possible.*
- *Proposals for buildings which project forward or behind the prevailing front building line, should incorporate transitional elements into the design to promote a sense of integration with adjoining buildings;*
- *The architectural language of the development (including boundary treatments) should generally respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings;*
- *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;*
- *Any provision of open space to the side of dwellings will only be considered as part of the overall private open space provision where it is useable, good quality space. Narrow strips of open space to side of dwellings shall not be considered as private amenity space.*

#### *Family Flats*

*A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of an existing dwelling). A family flat is not considered to represent an independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:*

- *The applicant shall be required to demonstrate that there is a genuine need for the family flat;*

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- *The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;*
- *The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;*
- *Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;*
- *Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.*

*Section 12.7.4 Car Parking Standards*

*Table 12.26 Maximum Parking Rates (Residential Development)*

*Section 12.7.5 Car Parking / Charging for Electric Vehicles (EVs)*

*Section 12.7.6 Car Parking Design and Layout*

*Section 12.10.1 Energy Performance in New Buildings*

*Section 12.12.4 Environmental Monitoring*

#### **Relevant Government Policy**

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

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

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

**Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas**, Department of the Environment and Local Government (2009).

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

**Quality Housing for Sustainable Communities-Best Practice Guidelines**, Department of the Environment, Heritage, and Local Government (2007).

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

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

#### **Assessment**

The main issues for assessment are as follows;

- Zoning and Council policy.
- Previous Reasons for Refusal.
- Residential and Visual Amenity.
- Vehicular Access and Car Parking.
- Drainage and Water Services.
- Green Infrastructure.
- Screening for Appropriate Assessment.
- Screening for Environmental Impact Assessment.

#### ***Zoning and Council Policy***

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity.' The development of a dwelling is permitted in principle subject to its accordance with the relevant provisions in the Development Plan with specific reference to Section 12.6.8 which relates to Corner/Side Garden Sites:

#### ***(ii) Corner / Side Gardens***

*Development on corner and / or side garden sites should be innovative in design appropriate to its context and should meet the following criteria:*

- *In line with the provisions of Section 6.8 Residential Consolidation in Urban Areas the site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings ensuring no adverse impacts occur on the residential amenity of adjoining dwellings;*

Whilst the proposed development represents residential consolidation in Urban Area on a site that is of sufficient size to accommodate an additional dwelling with appropriate setback, concerns arise in relation to the suitability of the site to accommodate an additional dwelling, car parking provision and the proposed amenity space as further outlined in this Report.

- *Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain;*



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Although the proposed dwelling is not located on a corner, it does provide dual frontage with fenestration located in the southern and eastern elevations. No fenestration has been provided to the northern and western elevations to protect the amenity of surrounding properties.

- *The dwelling(s) should generally be designed and sited to match the front building line and respond to the roof profile of adjoining dwellings where possible.*

Whilst the roof profile is considered to be consistent with the prevailing architectural language of the receiving context, the proposed dwelling is located forward of the building line created by the dwellings along Rochfort Grove.

- *Proposals for buildings which project forward or behind the prevailing front building line, should incorporate transitional elements into the design to promote a sense of integration with adjoining buildings;*

It is noted that the existing garage the subject of this application for change of use is not in a side garden, it is in the front garden. The configuration of the site which is at the end of a cul-de-sac is such that the existing single storey garage which is proposed to be a residential dwelling is forward of the existing building line set by a row of existing two-storey semi-detached dwellings.

- *The architectural language of the development (including boundary treatments) should generally respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings;*

The proposal is for the Change of use of an existing structure and therefore no significant concerns arise in relation to the architectural language of the building. However, it is noted that no boundary treatment appears to be proposed to the rear garden of the proposed dwelling, which is located to the front of the existing dwelling at No. 7 Rochfort Grove.

- *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;*

Private Amenity Space measuring approximately 65sqm has been provided adjacent to the eastern elevation of the proposed dwelling. Sufficient amenity space remains for the existing

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dwelling at No. 7 Rochfort Grove. However, a significant concern arises in relation to the functionality, privacy and amenity of the proposed amenity space for the one bedroom dwelling. There appears to be no boundary treatment proposed for the amenity space and it is situated to the front of the dwellings along Rochfort Grove. It is therefore considered that it cannot be considered private amenity.

- *Any provision of open space to the side of dwellings will only be considered as part of the overall private open space provision where it is useable, good quality space. Narrow strips of open space to side of dwellings shall not be considered as private amenity space.*

The private amenity space is located to the side of the proposed dwelling and as highlighted above, concerns arise in relation to the usability, privacy and quality of the space as it is located to the front of the existing dwelling at No. 7 Rochfort Grove.

### ***Previous Reasons for Refusal***

As noted in the Planning History Section of this Report, 2 No. previous Planning Applications have been Refused Permission. An assessment of whether the proposed development of this Planning Application successfully overcomes the previous reasons for refusal for the most recent Application (SD18A/0453) is outlined below:

1. Having regard to the location of the proposed development in the front garden of an existing house, and the configuration of the proposed development on the site, the proposed development would have an adverse impact on the residential and visual amenity of the neighbouring residents in the vicinity and constitutes haphazard piecemeal development. The proposed development would seriously injure the amenities, depreciate the value of property in the vicinity and would set an undesirable precedent for similar type developments in the area.

In response to Refusal Reason No. 1 the Applicant contends that, as the Garage is an existing building constructed in 1996, it forms part of the streetscape with the materiality allowing the structure to knit into the receiving context. A letter has also been provided by the Applicant from a Registered Estate Agent indicating that the proposed development would not depreciate the value of property in the vicinity.

Whilst the Applicant's contention regarding the existing nature and materiality of the structure is noted, it is considered that the concerns remain regarding the location of the dwelling in the front garden of No. 7 Rochfort Grove which would not only have an impact on the visual and residential amenity of the existing dwelling but would also compromise the functionality and

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usability of the private open space associated with the proposed dwelling. It is therefore considered that Reason for Refusal No. 1 has not be fully overcome.

2. The proposed development has insufficient space to cater for three cars to be parked safely off-street at the entrance to the proposed and existing dwelling and has insufficient space to have safe access and egress for car parking without endangering pedestrians or other road users. This would lead to on-street parking in a cul-de sac required for turning. The proposed development, therefore, would endanger public safety by reason of traffic hazard and obstruction of road users.

In response to Reason for Refusal No. 2, the Applicant has stated that the provision of 2 No. car parking spaces is sufficient to serve the existing dwelling and the proposed one bedroom dwelling. Reference is made to the standards contained within the South Dublin County Development Plan 2022-2028.

Table 12.26 of the Development Plan outlines the maximum car parking rates for a 3 No. bedroom dwelling as 2 No. spaces and for a 1 No. bedroom as 1 No. space. Whilst it is acknowledged that this is a maximum standard, it is evident from the content and photographs attached to the submissions from the members of the public and, as witnessed during a site visit, informal on-street car parking is a serious issue in the area. It is therefore considered that the proposed car parking provision is insufficient to serve both the existing and proposed dwellings. In this regard, Refusal Reason No. 2 has not been successfully overcome

These concerns are further outlined in the Vehicular Access and Car Parking Section of this Report.

3. Having regard to the absence of details relating to services and drainage, the Planning Authority is not satisfied that the applicant has demonstrated that the proposed development can be adequately serviced in accordance with the requirements for both Irish Water and Water Services Section of South Dublin County Council. The proposed development, therefore, would be prejudicial to public health.

In response to Reason for Refusal No. 3, the Applicant has outlined the proposal to create independent and direct access to all water and wastewater services.

Having regard to the Report of the Drainage and Water Services Department in relation to the proposed development, it is noted that the information provided by the Applicant in relation to the proposed water and wastewater infrastructure is insufficient and Additional Information is required to carry out a complete assessment of the proposed development. In this regard it is considered that Reason for Refusal No. 3 has not been successfully overcome.

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4. The documentation submitted as part of the planning application has not successfully overcome the previous reasons for refusal under Reg. Ref. SD03A/0599.

Whilst the Applicant has attempted to address the previous reasons for refusal for SD18A/0453 and SD03A/0599, it is considered that concerns remain and therefore Reason for Refusal No. 4 has not been successfully overcome.

Overall, it is considered that there are outstanding issues in relation to the potential impact to visual and residential amenity and the car parking provision for the proposed development of this Planning Application. It is therefore considered that the Applicant has not demonstrated that previous reasons for refusal have been successfully overcome.

### *Residential and Visual Amenity*

The application for a proposed change of use of the existing single storey garage to a separate residential dwelling unit to the front of the building line of the existing dwelling will have an internal floor area of approximately 54.9sqm. This would comply with the provisions of the South Dublin County Council Development Plan 2022-2028 which requires a minimum floor area of 50sqm for a one bedroom house (Table 3.20: Minimum Space Standards for Houses).

The area of proposed private open space to serve the proposed dwelling is stated as approximately 65sq.m which would comply with the 48sq.m minimum private open space minimum requirement set out in the South Dublin County Council Development Plan 2022-2028 for a one bedroom house. However, owing to the location of the proposed private open space in the front garden of an existing dwelling and the apparent lack of boundary treatment, a significant concern arises in relation to the level of amenity that can be provided by such a space. As such, it is considered that insufficient amenity would be provided for the proposed dwelling and there would also be a level of impact to the residential and visual amenity of the existing dwelling at No. 7 Rochfort Grove.

Furthermore, the provision of a residential unit and associated amenity space set in the front garden of an existing dwelling, forward of the existing building line would constitute haphazard piecemeal development, would adversely impact on the residential and visual amenities of the area. The proposed development would also be considered to set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the residential amenities of the area and would be contrary to the proper planning and sustainable development of the area. A **REFUSAL** of planning permission is recommended on this basis.

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### ***Vehicular Access and Car Parking***

The application proposes 2 No. car parking spaces to serve both the proposed one bedroom dwelling and the existing dwelling at No. 7 Rochfort Grove, with a shared vehicular access.

The Roads Department has assessed the proposed development, with their Report recommending that permission be **REFUSED** for the proposed development. An extract taken from the Roads Department states the following:

*'The existing dwelling would require parking and the proposed would require at least an additional parking space. The access point should be limited to 3.5m width. The additional requirement for a parking space may lead on street parking in a Cul-de sac required for turning. The proposed development would endanger public safety by reason of traffic hazard and road obstruction.'*

Having regard to the Report of the Roads Department and the Planning Authority is not satisfied that 2 No. cars can park safely and to have safe access and egress without endangering pedestrians or other road users. The proposal would potentially lead to on street parking in a cul-de-sac required for turning. It is evident from the site visit carried out by the Planning Officer and the submissions (and accompanying photographs) that there is significant issue with informal on-street car parking along Rochfort Grove. It is considered that, if the Planning Authority were to permit the proposed development it would only serve to further exacerbate a significant traffic and pedestrian safety issue in the surrounding context of the subject site. Thus, the proposed development would endanger public safety by reason of traffic hazard. It is recommended that permission be **REFUSED** for the proposed development on this basis.

### ***Drainage and Water Services***

The Drainage and Water Services Department have assessed the proposed development, with their Report indicating that the following **ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development:

- There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
- The applicant is required to submit a revised drawing showing plan & cross sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

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- i) At least 5m from any building, public sewer, road boundary or structure.
  - ii) Generally, not within 3m of the boundary of the adjoining property.
  - iii) Not in such a position that the ground below foundations is likely to be adversely affected.
  - iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
  - v) Soakaways must include an overflow connection to the surface water drainage network.
- Prior to development, the applicant shall include additional SuDS features as part of the proposed development to deal with surface water discharge from the site. Submit a drawing and report detailing additional SuDS features. SuDS features could include but are not limited to Permeable paving, Planter box , Water Butts and Other such SuDS

Irish Water have also assessed the proposed development, with their Report indicating no objection, subject to Conditions.

#### ***Green Infrastructure***

The subject site is not located within the Core area, or a Primary 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., the Change of Use of an existing Garage to Residential with no new hardstanding proposed it is considered that 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 nature and scale 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.

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### ***Screening for Appropriate Assessment***

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives. An appropriate assessment is not, therefore, required.

### **Conclusion**

Having regard to the provisions of the South Dublin County Development Plan 2022-2028, the Planning History of the site including 2 No. previous refusals of planning permission, the failure of the proposed development of this Planning Application to overcome previous reasons for refusal, consideration of the third party submissions and outstanding concerns regarding the level of amenity provision and pedestrian and traffic safety, a **REFUSAL** of planning permission is recommended. The proposed development would adversely impact on the residential and visual amenities of the area, provide an insufficient level of amenity for the proposed development, would create a traffic hazard and would be contrary to the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

## **SCHEDULE**

### **REASON(S)**

1. Having regard to the location of the proposed development in the front garden of an existing house, and the configuration of the proposed development on the site and the configuration of the site, the proposed development would provide an insufficient level of amenity for prospective residents and have an adverse impact on the residential and visual amenity of the neighbouring residents in the vicinity. The proposed development would therefore be contrary to the content of Section 12.6.8 of the South Dublin County Development Plan 2022-2028 and would set an undesirable precedent for similar type developments in the area.
2. The proposed development has insufficient car parking provision to cater for the existing

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three bedroom dwelling and the proposed one bedroom dwelling, there is insufficient space for cars to be parked safely off-street at the shared entrance to the proposed and existing dwelling and there is insufficient space to have safe access and egress for car parking without endangering pedestrians or other road users. This would lead to on-street parking in a cul-de sac required for turning and further exacerbation of an existing issue with informal on-street car parking. The proposed development therefore, would endanger public safety by reason of traffic and pedestrian hazard and obstruction of road users.



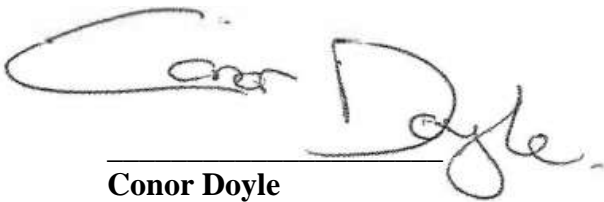
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**REG. REF. SD22A/0430**


**LOCATION: 7, Rochfort Grove, Lucan, Co. Dublin**



**Conor Doyle**  
**Assistant Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

**Date:** 18/01/23



**Gormla O'Corrain, Senior Planner**