

Comhairle Chontae Atha Cliath Theas

PR/0067/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0497 **Application Date:** 15-Nov-2022
Submission Type: New Application **Registration Date:** 15-Nov-2022
Correspondence Name and Address: Mr. Jose Matthew 1, Hillcrest Park, Lucan, Co. Dublin
Proposed Development: Planning permission is sought for the construction of an office with toilet facility and store to replace existing shed and toilet facility at rear of house.
Location: 1, Hillcrest Park, Lucan, Co. Dublin
Applicant Name: Mr. Jose Matthew
Application Type: Permission

Description of Site and Surroundings:

Site Area:

Stated as 0.0298 Hectares.

Site Description:

The subject site is located within the established residential Hillcrest Park, Lucan, Co. Dublin and contains a two storey semi-detached dwelling with an area of hardstanding for off-street car parking and small lawn to the front and a rear garden which a lawn and a single storey shed structure affixed to the rear elevation of the dwelling and running along the party boundary with No. 3 Hillcrest Park.

The site is bound to the north by a residential dwelling at No. 3 Hillcrest Park, to the south by a residential dwelling at Nos. 1A Hillcrest Park, to the west by an enclosed area of greenspace which is accessed via a gate off Hillcrest Heights and to the east by an internal circulation road known as 'Hillcrest Park'.

The surrounding streetscape is generally characterised by dwellings of a similar scale and architectural form, with a generally uniform building line.

Proposal:

Permission is sought for the following:

Demolition of the existing single storey shed structure (approximately 28sqm).

Construction of a single storey structure in the rear garden of the existing dwelling connected to the rear elevation of the dwelling via a conservatory, spanning an approximate width of 4.1m and directly adjoining the party boundary with No. 3 Hillcrest Park running for an approximate length of 8.9m. The structure has a flat roof profile, with a parapet capping with an approximate height of

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3.32m. The internal layout of the proposed structure is comprised of a toilet and shower room, office, and store with an approximate floor area of 42sqm.
All other ancillary site works above and below ground.

Zoning:

The site is located in an area that is zoned 'RES', where the stated objective is 'to protect and/or improve residential amenity' in the South Dublin County Development Plan 2022-2028.

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

Bird hazards.

Inner horizontal surface – Weston Airport.

Conical Surface - Casement Aerodrome.

Outer Horizontal Surface – Dublin Airport.

Consultations:

Drainage and Water Services Department: No report received at time of writing.

Irish Water: No report received at time of writing.

Roads Department: No objection.

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

Submissions/Observations /Representations

Final date for submissions/observations – 19th December 2022.

None received.

Relevant Planning History

Subject site

SD05B/0608

Alterations to previously approved Reg. Ref. SD04A/0848 to consist of new front elevation, new rear elevation, replace existing hipped roof with gable ended roof and consequent alterations to floor plans.

SDCC Decision Grant Permission, subject to conditions.

SD04A/0848

Demolition of the existing single storey extension and chimney to the side of existing dwelling, construction of a two storey detached house to the side garden of existing dwelling, relocation of the existing vehicular entrance and provision of a new vehicular entrance to the proposed house.

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SDCC Decision: Grant Permission, subject to conditions.

SD04A/0143

Demolition of existing single storey extension and chimney to the side of existing dwelling, construction of a two storey detached house to the side garden of the existing dwelling, relocation of the existing vehicular entrance and provision of a new vehicular entrance to the proposed house.

SDCC Decision: Refuse Permission.

Adjacent Sites

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

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded for the subject scheme.

SEA Sensitivity Screening

No overlap indicated with the relevant environmental layers.

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial, and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage, and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

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Section 6.8.2 Residential Extensions

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

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

Section 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 13.5.8 Residential Consolidation Extensions

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

The South Dublin County Council House Extension Design Guide (2010)

The design of residential extensions should accord with the South Dublin County Council House Extension Design Guide (2010) or any superseding standards.

Elements of Good Extension Design:

- *'Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow, or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible'.*

Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

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Relevant Government Guidelines:

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

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

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).

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

Planning Note

There are a number of discrepancies/deficiencies in the information provided by the Applicant which prevent a complete assessment of the proposed development:

- Article 23(1)(c) of the Planning and Development Regulations states that *'the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate'*.

It is noted that contours/Finished Floor Levels have not been included on the site layout plans.

- Insufficient detail is shown on the Proposed Site Layout Plan (provided at 1:200) to fully assess the potential for the proposed development to impact on the residential and visual amenity of surrounding properties. Section 23(1)(a) of the Planning and Development Regulations 2001-2021 (as amended) which states that:

'Site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the planning authority prior to the submission of the application, the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates shall be shown.'

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In this regard, the Applicant should be requested to provide an Existing and Proposed Site Layout Plan at 1:500 showing the full detail of the surrounding context of the subject site to facilitate a complete assessment of the potential impact of the proposed development on the visual and residential amenity of surrounding properties.

- The proposed floor plan and elevational drawings do not appear to correspond, for example the proposed side (south-west) elevation appears to show a window either side of a glazed door, but the floor plan drawings only show two windows.

Having regard to the above outlined discrepancies/deficiencies, the Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of revised drawings to facilitate a complete assessment of the proposed development.

Assessment

The main issues for the assessment are:

Zoning and Council Policy.

Visual and Residential Amenity.

Vehicular Access and Parking.

Parks and Public Realm.

Drainage and Water Services.

Green Infrastructure.

Screening for Appropriate Assessment.

Environmental Impact Assessment.

Zoning and Council Policy

The proposed development, comprising the demolition of an existing single storey shed structure and its replacement with a single storey structure, is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. As the shed structure is ancillary to the main residential use, it is considered to be permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010 and the South Dublin County Development Plan 2022-2028.

Visual and Residential Amenity

The proposed development shall also be assessed against the relevant policy, including but not limited to the South Dublin County Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide (2010).

Permission is sought for a of a single storey structure in the rear garden of the existing dwelling connected to the rear elevation of the dwelling via a conservatory, spanning an approximate width of 4.1m and directly adjoining the party boundary with No. 3 Hillcrest Park running for an approximate length of 8.9m. The structure has a flat roof profile, with a parapet capping with an

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approximate height of 3.32m. The internal layout of the proposed structure is comprised of a toilet and shower room, office, and store with an approximate floor area of 42sqm.

As previously outlined, there is a discrepancy between the elevational and floor plan drawings regarding the proposed extent of fenestration in the side (south-west) elevation, given that a glazed door is shown between the 2 No. windows on the elevation, but the door does not appear to be shown on the floor plan. However, despite this discrepancy it is noted that the proposed fenestration is located approximately 5.7m from the nearest boundary and thus would not have a significant impact on the visual and residential amenity of adjacent properties.

A private amenity space of approximately 50.5sqm would remain should the proposed development be permitted. This is an acceptable level of amenity for the existing dwelling.

Concerns arise regarding the potential for the structure to have an overbearing impact on adjacent properties, particularly the rear amenity spaces of No. 3 Hillcrest Park as the proposed structure directly adjoins the party boundary. The Site Layout Plan is deficient in information regarding the levels/contours of surrounding properties and thus it is difficult to assess the proposed development in the context of any potential change in level. According to the drawings provided by the Applicant, the proposed single storey structure has a height of approximately 3.32m. In comparison, according to the drawings provided by the Applicant the existing structure which it is proposed to demolish has an approximate height of 2.2m. The proposal would therefore represent a significant increase in height when compared to the existing scenario. In this regard, the Applicant's attention is drawn to the following extract from the South Dublin County Council House Extension Design Guide (2010):

'Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved'.

Having regard to the existing structure adjoining the party boundary with No. 3 Hillcrest Park, the principle of a similar replacement structure along the boundary is acceptable. However, the proposed increase in height is unacceptable. In this regard the Applicant should be requested by way of **ADDITIONAL INFORMATION** to provide a complete set of revised Site Layout, Plan, Sectional, Elevational and Contiguous drawings demonstrating a reduction in height of the proposed structure to below 3m.

The Application does not state that the single storey structure shall be operated separately to the main dwelling. According to the floorplans provided with the Planning Application, the structure contains an office, store, and toilet/shower. These uses would appear to be ancillary to the main dwelling. However, should permission be granted for the proposed development, a **CONDITION**

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should be attached ensuring that the structure cannot be operated, leased, or sold separately to the main dwelling and that the office shall not be operated for commercial purposes.

Vehicular Access and Parking

It is noted that the proposed development would not alter the vehicular access arrangements or car parking provision of the subject site.

The Report of the Roads Department notes no objection in relation to the proposed development.

Green Infrastructure

A report received from the Parks and Public Realm Department indicates that they have no objection to the proposed development, subject to the following **CONDITION**:

'The applicant is requested to submit a Green Infrastructure Plan which shall be submitted as part of the suite of Landscape Plans that are required for a development. The Green infrastructure Plans should include the following information:

- *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.*
- *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.*
- *Proposals for identification and control of invasive species where appropriate, for the site*

REASON: In order to ensure the protection and enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the design process in accordance with relevant policies of the CDP 2022-2028'.

Whilst the Report of the Parks and Public Realm Department is noted, 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., the replacement of a single storey shed structure with a single storey office, store room and toilet, the 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.

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Drainage and Water Services

The Irish Water Network map appears to indicate that the subject site is serviced by a public mains and sewer.

Although the floor plan drawing includes an annotation stating, '*WC fittings connected to exist foul sewer*', the information shown on the drawings provided by the Applicant is insufficient to determine the design and feasibility of the connection to the drainage and water services network servicing the subject site. However, having regard to the existing toilet within the shed structure currently present on site, it is apparent that there is a connection in place. Should permission be granted for the proposed development, it is considered appropriate that standard drainage **CONDITIONS** should be attached relating to water supply, surface water and foul water drainage.

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 a single storey structure in the rear garden of an existing dwelling.

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

Having regard to the nature and scale of the proposed development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the proposal is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can therefore be excluded at the preliminary examination and a screening determination is not required.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the nature of the development proposed it is considered that the principle of the proposed development is acceptable. However, concerns arise in relation to the potential for the proposed height of the structure to impact on the amenity of adjacent properties. Furthermore, there are deficiencies and discrepancies in the information provided by the Applicant. In this regard,

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ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development and to ensure that 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 **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The Applicant is requested to provide a complete set of revised Site Layout Plan, Sectional, Elevational, Plan and Contiguous drawings to address the following deficiencies and discrepancies:
 - (i) It is noted that contours/Finished Floor Levels have not been included on the site layout plans, as is required by Article 23(1)(c) of the Planning and Development Regulations which states that 'the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate'.
 - (ii) Insufficient detail is shown on the Proposed Site Layout Plan (provided at 1:200) to fully assess the potential for the proposed development to impact on the residential and visual amenity of surrounding properties. The Applicant is requested to provide an Existing and Proposed Site Layout Plan at 1:500 showing the full detail of the surrounding context of the subject site to facilitate a complete assessment of the potential impact of the proposed development on the visual and residential amenity of surrounding properties, in accordance with Section 23(1)(a) of the Planning and Development Regulations 2001-2021 (as amended) which states that 'Site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the planning authority prior to the submission of the application, the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates shall be shown.'
 - (iii) The proposed floor plan and elevational drawings do not appear to correspond, for example the proposed side (south-west) elevation appears to show a window either side of a glazed door but the floor plan drawings only show two windows.
2. The Applicant is requested to provide a complete set of revised Site Layout Plan, Sectional, Elevational, Plan and Contiguous drawings which demonstrate a reduction in height of the proposed structure to 3m or below.

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REG. REF. SD22B/0497

LOCATION: 1, Hillcrest Park, Lucan, Co. Dublin



**Deirdre Kirwan,
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: 19/01/23



Gormla O'Corrain, Senior Planner