

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

Reg. Reference: SD22B/0504 **Application Date:** 17-Nov-2022
Submission Type: New Application **Registration Date:** 17-Nov-2022
Correspondence Name and Address: Aaron Dunne Park House, Ballisk Court, Donabate, Co. Dublin
Proposed Development: Retention Planning Permission for garage to the side, Detached Office to the rear and Canopy that is connected to house, garage and Office for shelter and storage along with associated ancillary works
Location: 26, Grange View Lawn, Dublin 22
Applicant Name: Malgorzata Sobota
Application Type: Retention

(EW)

Description of Site and Surroundings:

Site visit: 16/01/2023

Site Area: 0.045 Hectares.

Site Description:

The application site consists of a semi-detached dwelling within a cul de sac, end of road/corner house that is located on Grange view Lawns in Clondalkin. The area is predominantly residential in nature. The streetscape is characterised by surrounding two storey dwellings of similar form and character.

Proposal:

The proposal consists of *Retention* for the following:

- garage to the side,
- detached Office to the rear and
- canopy that is connected to house,
- garage and Office for shelter and storage along with associated ancillary works

Zoning:

The subject site is subject to zoning objective RES - 'To protect and / or improve Residential Amenity.'

Consultations:

Surface Water Drainage – No report received, standard conditions to apply.
Roads- No objections subject to conditions.
Parks - No objections.

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

SEA Sensitivity Screening – No overlap indicated.

Submissions/Observations /Representations

None recorded for subject site.

Relevant Planning History

None recorded for subject site.

Adjacent sites

None relevant for subject site proposal.

Relevant Enforcement History

S8902 - Structure to the rear that may require planning permission and maybe habitable.
2. Caravan & boat parked in front of road? (Remains open– 04-May-2022)

Pre-Planning Consultation

None recorded for subject site.

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

Policy QDP7: High Quality Design – Development General

Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Policy H11: Privacy and Security

Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

6.8.2 Residential Extensions

Policy H14: Residential Extensions

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).

Policy G11: Overarching

G11 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Backland Development

The design of development on backland sites should meet the criteria for infill development in addition to the following criteria: à Be guided by a site analysis process in regard to the scale, siting and layout of development. à Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area. à

Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking. à Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.

Green Infrastructure

- Policy GI1: Overarching Protect, enhance, and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing, and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.
- **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.
- **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.
- **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*.

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

Rear Extensions

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

- *Make sure enough rear garden is retained.*

Daylight and over shadowing

- *Locate and design an extension so that it will not significantly increase the amount of shadow cast on the existing windows or doors to habitable rooms in neighbouring properties.*
- *Prevent significant loss of daylight to the window of the closest habitable room in a neighbouring property, by not locating an extension within the 45° angle of the centre point at 2m above ground level of the nearest main window or glazed door to a habitable room, measured on both plan and elevation. If the extension has a pitched roof, then the top of the extension can be taken as the height of its roof halfway along the slope.*

Relevant Government Guidelines

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

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

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

Assessment

The main issues for assessment are.

- Zoning and Council policy
- Residential and Visual amenity
- Drainage
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

Residential development is in principle consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity.' A detached garage room / office to the side / rear of the existing site shall be assessed according under the South County Development Plan 2022-2028.

Residential & Visual Amenity

The rear structure(s) of a garage, office and canopy for retention is set to the northwest side and behind the rear building line of the dwelling by 12.3m (northern boundary) and 13.5m (southwestern boundary) combined encompasses an entire rear garden space of 138sq.m at 5.07m at its maximum height. The two-storey office, referred to as a 'Tree House' as noted by the submitted drawings, is connected to water and foul drainage to the west of the site

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

occupying 6m of adjacent boundary western boundary wall. The garage, 56 sq.m in total, occupies the west corner of the site with the combined storage canopy that is immediately connected to both structures and the existing dwelling. The retained structures are almost the size of the current house on site.

Garage to the west corner of the site

Taking the combined scale and size of the garage, office and canopy structures for retention is considered excessively large cumulatively by the Planning Authority and overdevelopment of the site. The scale and size of the garage are significant. However, as a standalone structure, this site is ample for retaining the garage structure and is considered acceptable, and a **grant** of permission is recommended.

Two-storey office referred to as a 'Tree House'

The two-storey office referred to as a 'Tree House', is considered to be high within an established residential area. Due to the site's orientation, which is triangular in shape, the rear development is built in close proximity to the front of 24A, Grange view Lawns to the immediate north. However, the scale and mass of this structure are small in footprint, and it is deemed that the structure would not negatively impact or overshadow neighbouring dwellings.

Note: Regarding the Enforcement Department report that pursued a detailed site visit of the rear structures, the development to be retained has been incorrectly defined as a 'treehouse'. From the drawings submitted and proposed use, it is clear that the development description needs to be more accurate, and the notices do not truly describe the development proposed to be retained.

Noting the above, a **grant** of permission is recommended. However, a **condition** shall be added that the stairs and balcony for the tree house/office be removed within 6 months.

Canopy connecting the structures to the house.

The combined scale and size of the garage, office and canopy structures are proposed to be retained at 138sq.m. The submitted drawings note that the site outlines ample rear garden space; however, the offset and loss in the private amenity space; is considered that the quantum of quality remaining open space remains compromised, and the cumulative retained development has effectively reduced the accessible quality rear private amenity space for the existing dwelling to the extent that will adversely impact on the residential amenity of future occupants. In this regard, the combined structures represent an overdevelopment of a site and are below acceptable levels for quality residential amenity. The development proposed for retention would therefore be contrary to the Residential zoning objective, the policies of the current South Dublin County Council Development Plan 2022 - 2028 and the proper planning and sustainable development of the area; therefore, a **Refusal** of permission for the canopy structures are recommended, and a **condition** shall be added that all the canopies be removed within 6 months.

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

Roads Department

The Roads Department has no objections for retention subject to the following:

1. The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
2. The vehicular access point shall not exceed a width of 3.5 meters.
3. Any gates shall open inwards and not outwards over the public domain.
4. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.
5. The entrance apron shall be dishd and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.

The above recommendations are noted for the proposed development for retention however the proposal is for retention of rear structures and therefore the above shall not apply.

Services & Drainage

Water Services have not submitted a report however, the retained development is subject to standard conditions regarding standard codes of practice and the addition of water butts.

Regarding Irish Water, a report has not been received however, the retained development is noted to contain a wc, the structure is ancillary and incidental to the main dwelling, not for habitation and would be conditioned to be omitted from the rear office.

Green Infrastructure

The site boundary is not located within a Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028).

Having regard to the extent of private amenity space used for the garage, office and canopy amounting to 138sq.m for the subject development (for retention), has somewhat compromised however a substantial Green Infrastructure element of the site remains. As such, the proposal is not in accordance with GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028.'

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development (for retention) is located within an established residential area and comprises of structure(s) of a garage, office and canopy to rear.

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,

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

it is considered that the proposed development (for retention) 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 modest nature of the proposed development (for retention), 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 (for retention). The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Development Contributions

- Retained - structure(s) of a garage, office
 - the garage (56 sq.m) shall be retained.
 - the office (22.2 sq.m) shall be retained Assessable area:
- Total 78.2 sq.m contribution for retention applies.

Development Contributions	
Planning Reference Number	SD22B/0504
Summary of permission granted & relevant notes:	
Are any exemptions applicable?	No
Is development commercial or residential?	Residential
Standard rate applicable to development:	119.10
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€119.10
Area of Development (m2)	78.2
Amount of Floor area, if any, exempt (m2)	
Total area to which development contribution applies (m2)	78.2
Total development contribution due	€9,313.62

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

SEA Monitoring

Building Use Type Proposed: Residential extension.

Floor Area: 78.2 sq.m

Land Type: Brownfield/Urban Consolidation

Site Area: 0.045 Hectares.

Conclusion

The Planning Authority considers that the combined development for retention is overdevelopment of the site and would provide insufficient quality residential amenity for the future occupants and set an undesirable precedent for similar type of development in the area. A refusal of retention permission is therefore recommended for the canopy structures that link all structures to the existing dwelling.

Having regard to the stand alone garage and office structure a decision to grant permission is recommended subject to conditions.

Recommendation

I recommend that permission be granted for the existing domestic garage and office structure subject to the Conditions/Reasons set out in the First Schedule hereto and that Permission be refused for the Retention of the remaining canopy structures for the Reason(s) set out in the Second Schedule hereto.

FIRST SCHEDULE

Conditions and Reasons:

1. Development to be in accordance with submitted plans and details.
 - (i) The development of the garage (56 sq.m) shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application,
 - (ii) The development of the office (22.2 sq.m) shall be retained subject to the amendments outlined in the below conditions. The applicant shall resubmit drawings within 6 months of the grant of retention permission, save as may be required by other conditions attached hereto.

REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that incorporate all of the following amendments-

 - (a) the stairs and balcony for the tree house/office shall be removed entirely within 6 months.
 - (b) all canopy structures to be removed within 6 months.
 - (c) omit the wc from the office; the structure is ancillary and incidental to the main dwelling, not for habitation.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

3. The disposal of surface water shall accord with the requirements of the Planning Authority as follows:(a)The surface water generated by the development (roof and pavements) shall not be discharged to the sewer but shall be infiltrated locally, to a soakpit or similar. There shall be no overflow to the public network. The soakpit shall be designed to BRE Digest 365, shall be at a min. 5m from the house and shall have no impact on neighbouring properties.(b) If the applicant does not consider a soakpit a feasible solution, the applicant shall prove that by submitting a report signed by a Chartered Engineer, showing an infiltration test (with results, photos, etc), and shall propose an alternative SuDS measure for the written agreement of the Planning Authority thereafter for build-out. (c)Any changes to the parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SUDS) i.e. permeable surfacing. Where unbound material is proposed for hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath.**REASON:** In accordance with GI4 Objective 1 of the County Development Plan 2022-2028 and the South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022
4. **Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €9, 313.62 (Nine thousand, three hundred and thirteen euros and sixty two cent), 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.

Comhairle Chontae Atha Cliath Theas

PR/0086/23

Record of Executive Business and Chief Executive's Orders

REG. REF. SD22B/0504

LOCATION: 26, Grange View Lawn, Dublin 22

SECOND SCHEDULE

Reason(s)

1. Having regard to the scale and size of the combined garage, office and canopy structures for retention on the site, the configuration of the three structures combined would provide insufficient rear amenity space. It would therefore constitute overdevelopment of the site and a haphazard pattern of development that may impinge on future coordinated rear redevelopment and would be contrary to the proper planning and sustainable development of the area. Furthermore, it would be contrary to the provisions of the House Extension Design Guide and Section 12.6.7 of the South Dublin County Development Plan 2022-2028.

Therefore the removal of the canopy structures that links the existing garage and office with the dwelling is required.

The development for Retention of the combined canopy structures would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the residential and visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0086/23

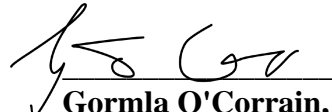
Record of Executive Business and Chief Executive's Orders



**Deirdre Kirwan,
Senior Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning and Development Act 2000 (as amended) to that permission be granted for the existing domestic garage and office structure subject to the Conditions/Reasons set out in the First Schedule hereto and that Permission be refused for the Retention of the remaining canopy structures for the Reason(s) set out in the Second Schedule hereto.

Date: 23/01/23



**Gormla O'Corrain,
Senior Planner**