

Comhairle Chontae Atha Cliath Theas

PR/0092/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0396 **Application Date:** 20-Oct-2022
Submission Type: Additional **Registration Date:** 19-Dec-2022
Information

Correspondence Name and Address: McGrane & Partners Architects Dundrum Office
Park, Dundrum, Dublin 14

Proposed Development: Replacement of previously approved detached three storey 5-bedroom dwelling (295 sq.m) with 2 semi-detached three storey 4-bedroom dwellings (150 sq.m each); The house being replaced was previously granted planning permission by An Bord Pleanála under ABP-304659-19 (SDCC Ref. SD18A/0310); The application also seeks the modifications to the car parking and associated site works to facilitate the revised house types.

Location: Ardeevin Manor, Ardeevin Avenue, Lucan, Co. Dublin

Applicant Name: Phoenix Croft Limited

Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Area: Stated as 0.044 Hectares

Site Description:

The application site is accessed off Ardeevin Avenue which is currently an established cul-de-sac with existing residential dwellings. The overall site is greenfield with Planning Permission for 25 dwellings consisting of a mix of detached and semi-detached units. The subject application refers to site containing Unit 25 which currently has permission for a detached dwelling of 295sqm and it is proposed that this is replaced with 2 semi-detached dwellings.

The area surrounding the site is a mix of semi-detached dwellings with pitched roofs to the west, the N4 directly to the south, a greenfield site to the east and a mix of residential, open space and community facilities to the north.

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Proposal

The proposed development consists of:

- Replacement of previously approved detached three storey 5-bedroom dwelling (295 sq.m) with 2 semi-detached three storey 4-bedroom dwellings (150 sq.m each).
- The house being replaced was previously granted planning permission by An Bord Pleanála under ABP-304659-19 (SDCC Ref. SD18A/0310).
- The application also seeks the modifications to the car parking and associated site works to facilitate the revised house types.
- Total area of works 300sqm.

Zoning:

The subject site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*.

Consultations:

Irish Water: Additional Information required.

Surface Water Drainage: Additional Information required.

Roads Department: No objections or comments.

Parks Department: No objections or comments.

Transport Infrastructure Ireland: No objections.

SEA Sensitivity Screening

Indicates no overlap with the relevant layers but there is a Site of Geological Interest running along the N4 directly to the south.

Submissions/Observations

One submission was received in relation to the proposed development which can be summarised as follows:

- *An additional unit will intensify the development and increase the potential for overlooking of the unit to the west and additional traffic will impact on the traffic movement.*
- *No improvement/remedial works to traffic as a result of the additional dwelling.*
- *The boundary of the site is contested by the occupants of number 37 Ardeevin Avenue, the dwelling to the west and the situation on the ground is not accurately represented on the maps in the order of 3m to the southern boundary and therefore the application is invalid. It is requested that the Planning Authority take note of this and that this issue is being pursued further by the appellants.*
- *The ownership of the site is currently changing and therefore the applicants name etc is misleading and therefore the application is invalid.*

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The submission is noted and has been reflected throughout the report. It should be noted that the Planning Authority can only report on planning issues.

Recent Relevant Planning History

Subject

SD18A/0310 – Permission Granted for construction of a 25 unit residential housing development on a site extending to 0.96 hectares to the north of the N4 Lucan by-pass and to the east (end of) Ardeevin Avenue, consisting of the following: 1 detached, two and a half storey 5 bedroom house (Type 1, 295sq.m); 1 detached, two and half storey 5 bedroom house (Type 1a, 270sq.m); 1 detached, two and a half storey 4 bedroom house (Type 1b, 270sq.m); 1 detached, two and a half storey 5 bedroom house (Type 1c, 280sq.m); 1 detached, two and a half storey 5 bedroom house (Type 1d, 270sq.m); 8 detached, two and a half storey houses (Type 2, 150sq.m each); a two storey, semi-detached block consisting of: 1 two bedroom house (Type 3, 70sq.m); 1 two bedroom house (Type 3a, 74sq.m), 10 semi-detached two and a half storey houses (Type 4, 150sq.m each); all associated site development works including landscaping works, public lighting, ground works, (reduction of existing site level), boundary treatment, roads, footpaths, foul drainage, surface water drainage including attenuation, water main and site entrance piers (with no gates).

ABP-304659-19 – **Permission Granted** by An Bord Pleanala following third party appeal.

SD05A/0405 & PL06S.213561 – **Permission Refused** for 11 5-bedroom, three storey detached houses & associated site works. Reason for refusal outlined by An Bord Pleanala as follows;

REASONS AND CONSIDERATIONS

The proposed development is located on lands where the land use zoning objective is 'F – To preserve and provide for Open Space and Recreational Amenities', as indicated in the current Development Plan for the area. Having regard to the extent of the proposed residential development, it is considered that the proposed development would materially contravene the land use zoning objective and would constitute an undesirable precedent for similar developments in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Adjacent

SD18A/0302 - 37 Ardeevin Avenue, Lucan, Co. Dublin – **Permission Granted** for demolition of existing utility room at side for subdivision of the site and construction of a two storey, four bedroom detached dwelling house with dormer at rear, to include alterations to existing front boundary on Ardeevin Avenue for creation of 1 additional vehicular access gate plus relocation of existing vehicular access gate. Proposals include for all associated site works, including drainage, hard landscaping and site development works.

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Recent Relevant Enforcement History

None.

Pre-Planning Consultation

None.

South Dublin County Development Plan 2022-2028

Policy NCBH1: Overarching

Policy NCBH2: Biodiversity

Policy NCBH5: Protection of Habitats and Species Outside of Designated Areas

Policy GI1: Overarching

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.

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 GI3: Sustainable Water Management

GI3 Objective 1:

To ensure that hydromorphical assessments are undertaken where proposed development is within lands which are partially or wholly within the Riparian Corridors identified as part of this Development Plan.

GI3 Objective 2:

To require development proposals that are within riparian corridors to demonstrate how the integrity of the riparian corridor can be maintained and enhanced having regard to flood risk management, biodiversity, ecosystem service provision, water quality and hydromorphology.

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

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Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Policy GI5: Climate Resilience

Policy QDP1: Successful and Sustainable Neighbourhoods

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP3: Neighbourhood Context

Policy QDP6: Public Realm

Policy QDP7: High Quality Design – Development General

Policy QDP7: High Quality Design – Street Frontage

Policy QDP7: High Quality Design – Street Width and Height

Policy QDP7: High Quality Design – Adaptability and Inclusivity

Policy QDP8: High Quality Design – Building Height and Density Guide (BHDG)

Policy QDP9: High Quality Design - Building Height and Density

Policy QDP10: Mix of Dwelling Types

Policy QDP11: Materials, Colours and Textures

Policy H1: Housing Strategy and Interim Housing Need and Demand Assessment

H1 Objective 12:

Proposals for residential development shall provide a minimum of 30% 3-bedroom units, a lesser provision may be acceptable where it can be demonstrated that:

- there are unique site constraints that would prevent such provision; or*
- that the proposed housing mix meets the specific demand required in an area, having regard to the prevailing housing type within a 10-minute walk of the site and to the socioeconomic, population and housing data set out in the Housing Strategy and Interim HNDA; or*
- the scheme is a social and / or affordable housing scheme.*

Note: Build-To-Rent (BTR) residential developments shall comply with the Sustainable Urban Housing: Design Standards for New Apartments (2020) (or any superseding Section 28 Ministerial Guidelines).

Policy H7: Residential Design and Layout

Policy H8: Public Open Space

Policy H9: Private and Semi-Private Open Space

Policy H10: Internal Residential Accommodation

Policy H11: Privacy and Security

Policy H13: Residential Consolidation

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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Policy H14: Residential Extensions

H14 Objective 1:

Policy SM2: Walking and Cycling

Policy SM7: Car Parking and EV Charging

Policy COS5: Parks and Public Open Space – Overarching

COS5 Objective 7:

To require at the sole discretion of the Planning Authority a pro rata contribution in lieu of provision of public open space where, due to the small size, configuration or location of a particular development or on sites with less than three units it is not possible to provide functional public open space on site.

Policy E3: Energy Performance in Existing and New Buildings

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.3.8 Architectural Conservation Areas

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management

12.4.3 Riparian Corridors

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.5.4 Public Realm: (At the Site Level)

12.6.1 Mix of Dwelling Types

12.6.7 Residential Standards

12.6.8 Residential Consolidation

12.6.10 Public Open Space

12.7.1 Bicycle Parking / Storage Standards

12.7.4 Car Parking Standards

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

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12.6.8 Residential Consolidation Infill Sites

Development on infill sites should meet the following criteria:

- *Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual;*
- *A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes.*
- *Larger sites will have more flexibility to define an independent character;*
- *While the minimum standards set will be sought in relation to refurbishment schemes it is recognised that this may not achieve a positive planning outcome, SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2022-2028 Implementation and Monitoring (IM) particularly in relation to historic buildings, 'living over the shop' projects, and tight (less than 0.25 Hectares) urban centre infill developments. In order to allow for flexibility, the standards may be assessed on a case-by-case basis and if considered appropriate, reduced in part or a whole, subject to overall design quality in line with the guidelines.*
- *Sustainable Urban Housing: Design Standards for New Apartments, 2020;*
- *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street;*
- *Where the proposed height is greater than that of the surrounding area a transition should be provided (See Chapter 5, Section 5.2.7 of this Chapter and Appendix 10: Building Height and Design Guide);*
- *Subject to appropriate safeguards to protect residential amenity, reduced public open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops;*
- *Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area;*
- *All residential consolidation proposals shall be guided by the quantitative performance approaches and recommendations under the 'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' and / or any updated guidance;*
- *It should be ensured that residential amenity is not adversely impacted as a result of the proposed development;*

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- Delivery of Public Open Space and Contribution in Lieu shall be in accordance with the provisions set out under Section 8.7.4 of Chapter 8: Community Infrastructure and Open Space.

12.6.8 Backland Development

The design of development on backland sites should meet the criteria for infill development in addition to the following criteria:

- Be guided by a site analysis process in regard to the scale, siting and layout of development;*
- Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area;*
- Demonstrate that there is no undue overlooking, and that overshadowing is assessed having regard to 'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' or any updated guidance;*
- Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.*

Relevant Government Guidelines

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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).

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013)

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

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009)

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Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Residential and Visual Amenity
- Part V
- Accommodation and Open Space
- Roads
- Parks
- Drainage
- Green Infrastructure
- Transport Infrastructure Ireland
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

The site is located in an area which is zoned '*RES*' '*to protect and/or improve residential amenity.*' Residential development is permitted in principle and therefore a development consisting of two semi-detached two storey residential units would be acceptable subject to accordance with the relevant provisions of the County Development Plan.

Residential and Visual Amenity

Residential

The proposed development is for an amendment to planning permission SD18A/0310 (ABP-304659-19) which involves the substitution of a single detached two-storey dwelling with two semi-detached dwellings mirroring the units 8-13 and 15-18 (House Type 4 within the scheme as approved).

In terms of massing and scale, the proposed development requires a marginal increase in depth from 11.02m to 11.32m and an increase in width from 10.525m to 12.86m respectively to what was originally approved. It is noted that the dwelling footprint has widened easterly and would retain the same distance (7m reducing to approximately 5.2m) to Number 37 Ardeevin Avenue to the west. While this has resulted in a reduction in distance to Unit 24 to the east from 3.7m to 2.7m, it is noted however that this is still in excess of the distances achieved between the units on the same part of the estate and is therefore **acceptable**. Notwithstanding this, it would appear to be a discrepancy between the permitted and proposed site layout plans as the width of the proposed development has increased by more than 2m and the distance between the units to west has not changed, while the distance to the east (to permitted house No. 24) has only been reduced by 1m. Accordingly, the proposed site planning drawing appears to be misleading, and clarification should be sought by **Additional Information**.

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The ridge height of the proposed remains unchanged from the original dwelling at 9.825m and the only likely impact in terms of loss of natural light would be the units to the east of the proposed development and given that the distances between the units and considering the only permitted window on the permitted side elevation of the dwelling to the east (Dwelling No. 24) serves the stairs. Accordingly, no objections are raised in this regard. It is further noted that the proposed development does not break the established building line to the rear, and the proposed development would not significantly increase the loss of natural light or overshadowing of the neighbouring dwellings in the immediate vicinity.

The windows on the first floor of the eastern and western elevations of the proposed units are noted as opaque which is appropriate. There are opaque windows on the first floor of the rear elevations also as these lead onto bathrooms which is also acceptable.

Visual

Visually the proposed development is consistent with the other semi-detached Type 4 units in the development and retains the same building line as the neighbouring dwellings to the east which is acceptable.

Overall, the proposed development would not be injurious to the residential or visual amenities of the area. Notwithstanding this, the site plans do not appear to accurately reflect the size of the development and therefore, the distances to the neighbouring dwellings and Additional Information should be sought to clarify the position.

Part V

The applicant submitted a letter confirming that the Part V requirement was agreed under approved planning permission SD18A/0310 and will liaise with South Dublin County Council regarding any additional obligations in the event of a grant of permission. The applicant is therefore requested to coordinate with the South Dublin County Council Housing Department in order to assess any further liabilities.

Internal Accommodation & Private Open Space

Section 5.3.2 of the Quality Housing for Sustainable Communities Guidelines.	Requirement (sqm)	Provision (sqm) for each house	Private Open Space (sqm)
Gross Floor Area	110	150	Unit 25 - 85
Minimum main living area	15	17.87	Unit 26 - 110
Aggregate living area	40	42	
Aggregate Bedroom Area	43	49.22	
Storage	6	13	

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The internal accommodation of the proposed dwellings therefore generally accords with the Quality Housing for Sustainable Communities and the County Development Plan which is **appropriate**.

Table 3.20 of the County Development Plan requires a minimum of 70sqm for 4-bedroom houses and the proposed development is therefore acceptable. Notwithstanding this, given that there are discrepancies with the proposed site plan, the applicant is requested to provide revised drawings including site plans indicating the exact areas of the rear private open space by **Additional Information**.

Roads

The Roads Department have no objection to the proposed development as it will result in 2 additional car spaces for the entire development, and this is considered **appropriate**.

Parks

The Parks Department have no objections to the proposed development and as the boundary treatments, landscape plans etc. have been agreed under SD18A/0310 and under appeal ABP-304659-19, this is considered **acceptable**.

Drainage

The Water Services section require **Additional Information** and the following report was received:

Surface Water Report:

Further Information required:

1.1 The applicant is required to submit a drawing and report showing surface water layout and connections for the proposed development.

1.2 The applicant shall include additional SuDS (Sustainable Drainage Systems) as part of the proposed development to deal with surface water discharge from the site. Submit a drawing and report detailing additional SuDS elements. SuDS features could include but are not limited to:

- *Soakaway (Percolation tests required)*
- *Permeable paving*
- *Water Butts*
- *Other such SuDS*

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Irish Water require **Additional Information** and the following report was received:

IW Recommendation: Further Information Required

1 Water

1.1 The applicant has not submitted any drawings showing water connections for the proposed development. Submit a drawing showing proposed watermain layout and connections for the proposed development.

1.2 Prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water.

Reason: In the interest of public health and to ensure adequate water facilities.

2 Foul

2.1 The applicant has not submitted any drawings showing wastewater connections for the proposed development. Submit a drawing showing proposed water connections for the proposed development.

2.2 Prior to the commencement of development the applicant or developer shall enter into a wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health and to ensure adequate waste water facilities

The **Additional Information** as required by Irish Water and Water Services **is not deemed necessary** in the context of the overall development as the SuDS provisions have been agreed for the wider site in general and the foul and water connections have also been agreed.

Green Infrastructure

The subject application provides for a relatively small increase in the footprint of a previously granted suburban residential site. The site does not appear to be located within a Primary GI Corridor or a 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).

Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required.

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Transport Infrastructure Ireland

TII have **no objections** to the proposed development but have the following comments:

In the case of the above planning application, the Authority will rely on your planning authority to abide by official policy in relation to development on/affecting national roads as outlined in DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012), subject to the following:

- The Authority will entertain no future claims in respect of impacts (e.g., noise and visual) on the proposed development, if approved, due to the presence of the existing road or any new road scheme which is currently in planning.

- The Authority requests that the Council has regard to the provisions of Chapter 3 of the DoECLG Spatial Planning and National Roads Guidelines in the assessment and determination of the subject planning application.

The conditions as attached as per decision ABP-304659-19 shall be confirmed in the event of a grant of permission.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located adjacent to an established residential area and comprises of the construction of two semi-detached dwellings.

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 (EIAR)

Having regard to the modest nature of the development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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Other Considerations

Development Contributions	
Planning Reference Number	SD22A/0396
Summary of permission granted & relevant notes:	2 semi-detached dwellings with total area of 300sqm. Previous area 295sqm (1 unit) approved under ABP-304659-19 as part of the overall scheme of 25 units. The applicant shall be charged for the entire 300sqm in the event of a grant of permission unless confirmed that the relevant development contributions have been paid to South Dublin County Council.
Are any exemptions applicable?	No
If yes, please specify:	
Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	300
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	300
Total development contribution due	€31,347

SEA Monitoring Information

Building Use Type Proposed

Residential – House

Land Type

Brownfield/Urban Consolidation

Floor Area (sq.m)

300

Site Area (Ha.)

0.044

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Conclusion

A development consisting of two, semi-detached residential units is acceptable in principle subject to adherence to the provisions of the South Dublin County Development Plan 2022 – 2028. Notwithstanding this, there are outstanding issues that should be addressed by the applicant by Additional Information to include a revised overall proposed site plan correctly identifying accurate areas for the proposed dwellings, distances to neighbouring dwellings to the east and west and private rear open spaces.

Recommendation

Further Information Requested on 14/12/2022.

Further Information Received on 19/12/2022.

Consultations:

Water Services – No report received at the time of writing.

Roads – No objection to the proposed development.

Assessment

In response to the Additional Information request, the applicant submitted the following:

- Revised Site Plan – Drawing Number: 2202 PD01

Item 1:

Site Plan

The applicant should submit revised drawings to include an overall proposed site plan correctly identifying accurate areas for the proposed dwellings, distances to neighbouring dwellings to the east and west and private rear open spaces.

It is noted that a few dimensions are slightly out on some of the drawings. However, the Planning Authority is satisfied that the proposed development could be appropriately assessed. For completeness, the applicant should be **conditioned** to provide accurately dimensioned drawings.

The revised site plan as submitted indicates appropriate distances to the neighbouring dwellings to the west and east.

On the original site plan submitted the drawing indicated a distance of 1.1m to the boundary wall with the neighbouring dwelling to the west at its narrowest point, whereas the revised distance is noted as 1.04m which is **acceptable**.

Furthermore, the distance of the property to the east of the proposed was noted as 1.7m to the boundary wall which too was incorrect. The revised plan notes a distance of 1.05m instead which although is significantly narrower, is **acceptable** in the overall context of the development.

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The rear private amenity space of Number 26 has increased in depth from 12m to 12.7m which again is **acceptable**.

Again, it is noted that the plans as submitted do not appear to be to scale and potentially, the applicant has printed on A4 scale on an A3 sheet but notwithstanding this, the figures as noted on the plans are consistent with the neighbouring dwellings and therefore, **overall, the proposed development is acceptable subject to conditions**.

Other Considerations

Development Contributions	
Planning Reference Number	SD22A/0396
Summary of permission granted & relevant notes:	2 semi-detached dwellings with total area of 300sqm. Previous area 295sqm (1 unit) approved under ABP-304659-19 as part of the overall scheme of 25 units. The applicant shall be charged for the entire 300sqm in the event of a grant of permission unless confirmed that the relevant development contributions have been paid to South Dublin County Council.
Are any exemptions applicable?	No
If yes, please specify:	
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)	300
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	300
Total development contribution due	€35,730

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SEA Monitoring Information

Building Use Type Proposed	Floor Area (sq.)
Residential – House	300
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.044

Conclusion

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

Recommendation

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

FIRST SCHEDULE

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

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.

The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 19/12/2022, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

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2. Parent Permission

Apart from the proposed development hereby permitted, the conditions of the parent permission, SD18A/0310 shall apply.

REASON: In the interest of clarity.

3. Site Plan Drawings

Prior to the commencement of development the applicant shall revise the Site Dimension Plan, Existing and Proposed Site Dimensions, and other relevant drawings, to reflect accurate dimensions and submit to the Planning Authority for written agreement.

REASON: For the proper planning and sustainable development of the area.

4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €35, 730 (thirty-five thousand, seven hundred and thirty euro), 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.

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

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

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arising are remedied immediately.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD22A/0396

LOCATION: Ardeevin Manor, Ardeevin Avenue, Lucan, Co. Dublin

Colm Harte

**Colm Harte,
Senior Executive Planner**

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

Date: 25/01/23

Gormla O'Corrain

**Gormla O'Corrain,
Senior Planner**