

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0454 **Application Date:** 06-Dec-2022
Submission Type: New Application **Registration Date:** 06-Dec-2022

Correspondence Name and Address: John Rochford Jarretstown Cross, Dunboyne, Co. Meath

Proposed Development: The development will consist of the partial change of use of the ground floor of an existing dwelling to a childcare facility and a proposed extension to the ground floor to form part of the childcare facility that will accommodate for early childhood care and education (ECCE) scheme. The development includes (A) a new side entrance to the proposed childcare facility, (B) a proposed rear extension to the existing ground floor measuring 12m², (C) internal alterations to include a proposed accessible WC and minor demolition to accommodate for the new extension, (D) dishing of existing footpath to front of dwelling to accommodate greater vehicular access to site, (E) and all associated ancillary site works.

Location: 4, Griffeen Glen Drive, Lucan, Co. Dublin K78N277

Applicant Name: Mridul Sharma

Application Type: Permission

(SW)

Description of Site and Surroundings:

Site Area:
Stated as 0.023ha

Site Description:
The subject site is located within an established residential area and comprises an existing semi-detached house with a rear garden. The surrounding streetscape is characterised by predominantly similar semi-detached and terraced houses with rear gardens.

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

Proposal:

The proposed development comprises the following:

- partial change of use of the ground floor of an existing dwelling to a childcare facility and a proposed extension to the ground floor to form part of the childcare facility that will accommodate for early childhood care and education (ECCE) scheme.
- The development includes:
 - (A) a new side entrance to the proposed childcare facility,
 - (B) a proposed rear extension to the existing ground floor measuring 12m²,
 - (C) internal alterations to include a proposed accessible WC and minor demolition to accommodate for the new extension,
 - (D) dishing of existing footpath to front of dwelling to accommodate greater vehicular access to site,
 - (E) and all associated ancillary site works.

SEA Sensitivity:

No overlap identified with relevant environmental layers.

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.

CDP Maps: Bird Hazards, Conical Surface (Weston), Conical Surface (Casement), Outer Horizontal Surface (Dublin)

Consultations:

Water Services – No objections, subject to conditions.

Irish Water – No objections, subject to conditions.

Roads – Recommend refusal.

Parks – no report received at time of writing.

Tusla – no report received at time of writing.

Submissions/Observations /Representations

Representation received from Cllr Gogarty supporting the proposal as the number of children to be catered for has been reduced from that previously proposed and the opening times have been amended. There is also a need in the area and there should not be a negative traffic impact.

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

Relevant Planning History

Subject site

SD21A/0226 Partial change of use of the ground floor of an existing dwelling to a childcare facility; proposed ground floor extension to form part of the childcare facility; new side entrance; proposed rear extension to the existing ground floor measuring 12sq.m; Internal alterations to include proposed accessible wc and minor demolition to accommodate new extension; all associated ancillary site works. **Permission Refused.**

Reason 1:

The proposed development lacks adequate drop off/pick up facilities on site to serve future users and would result in an increase in the number of vehicular movements. Resultantly, the proposed development would increase the risk of a traffic accident on the roads within the vicinity of the site, thereby endangering public safety by reason of a traffic hazard. This is contrary to the provisions of the County Development Plan, specifically Policy TM7, the zoning objective 'RES' - 'To protect and / or improve Residential Amenity' and the sustainable development of the area.

Adjacent sites

SD10B/0048 Retention of alterations to previously granted permission (Ref. SD09B/0071) for construction of a two storey extension to the side of existing house, new single storey extension to the rear with 1 no. new rooflight and 1 no. new rooflight in existing kitchen to rear; conversion of roof space into new bedroom with 2 no. rooflights located to rear of roof together with all landscaping and site development works. Significant Further Information: alterations to consist of 800mm x 1440mm extension of lounge to front to align with existing porch, also the inclusion of a parapet wall projecting 300mm above eaves level; relocation of the doorway to the ground floor level "undercroft" side passageway flush with the front building line of the dwelling and associated wall erected along the common boundary with 2 Griffeen Glen Court. **Grant Retention Permission**

SD09B/0071 Construction of a two storey extension to the side of the existing house, new single storey extension to rear of existing house with 1no. new rooflight and 1 no. new rooflight in existing kitchen to rear; conversion of roof space into new bedroom with 2no. rooflights located to the rear of the roof, together with all landscaping and site development works. **Grant Permission**

SD05B/0214 Double storey extension to gable end and single storey extension to rear. **Grant Permission**

SD05B/0113 Two storey extension at side and single storey extension at rear. **Grant Permission**

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

SD03B/0411. Double storey extension to gable end and single storey extension to rear. **Grant Permission**

Relevant Enforcement History

Nonactive

Pre-Planning Consultation

None recorded for the subject site.

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

Chapter 3 Natural, Cultural and Built Heritage

Policy NCBH3 Natura 2000 Sites

NCBH3 Objective 3 (Appropriate Assessment)

Chapter 4 Green Infrastructure

Policy GII Overarching

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

Policy GI2 Biodiversity

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

Policy GI4 Sustainable Drainage Systems

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

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

Chapter 7 Sustainable Movement

Section 7.10 Car Parking

Policy SM7 Car Parking and EV Charging

SM7 Objective 1 Maximum car parking standards

Chapter 8 Community Infrastructure and Open Space

Section 8.4.3 Universally Accessible Social / Community Facilities

Policy COS2: Social / Community Infrastructure

Section 8.9 Early Childhood Care and Education Facilities

Policy COS7: Childcare Facilities

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

COS7 Objective 1:

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

COS7 Objective 5:

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

COS7 Objective 6:

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

Chapter 10 Energy

Section 10.2 Energy Measures

Policy E3 Energy Performance in Existing and New Buildings

Chapter 12 Implementation & Monitoring

Section 12.3 Natural, Cultural and Built Heritage

Section 12.3.1 Appropriate Assessment

Section 12.3.3 Environmental Impact Assessment

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy H18 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 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

House Extension Design Guide

For 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.*
- *Make sure enough rear garden is retained.*
- *Do not create a higher ridge level than the roof of the main house.*
- *The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

Relevant Government Guidelines

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

Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.

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).

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

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

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

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

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

Circular letter PL 3/2016 Re: Childcare Facilities operating under the Early Childcare and Education (ECCE) scheme, Department of the Environment, Community and Local Government (2016).

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

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

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

Assessment

The main issues for assessment relate to Zoning and Council policy, Childcare Facility, Residential and Visual Amenity, and Roads.

Zoning and Council policy

The application site is subject to zoning objective RES - *'To protect and / or improve Residential Amenity'*. 'Childcare Facilities' are 'open to consideration' within the 'RES' zoning objective.

It is noted that childcare facilities are permissible in residential areas, provided they are suitably located, and the impacts are acceptable.

Government policy is to increase access to childcare having regard to the extension of the ECCE scheme and the associated demands on childcare facilities with effect from September 2016. The *Childcare Facilities Guidelines for Planning Authorities 2001* outline general planning related standards for childcare facilities. The *Child Care (pre-school services) Regulations 2006* set out a range of childcare related standards for childcare facilities as stipulated by the Department of Children and Youth Affairs. The Child and Family Agency *Tusla* is responsible for inspecting pre-school services under, and enforcing compliance with, the aforementioned 2006 regulations.

The proposal for a rear extension within a residential area is acceptable in principle.

COS7 Objective 5 is *"To support the provision of small-scale childcare facilities in residential areas subject to appropriate safeguards to protect the amenities of the area, having regard to noise pollution and traffic and parking management"*.

Policy H18 Objective 1 is *"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 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines)"*.

The impacts of the proposal and its appropriateness in light of the CDP policies are assessed below.

It is noted that the description of development (as per the application form) states the rear extension would be 12sq.m, the area of proposed works given on the application form is 16.32sq.m and the site / newspaper notice just states 'rear extension' and no quantum is given. The proposed plans also state 16.32sq.m. Given the notices do not detail the quantum of

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

development, it is not considered that this discrepancy has any impact on the consideration of the proposal or public consultation.

Childcare Facility

The previous planning application was refused for the following reason:

The proposed development lacks adequate drop off/pick up facilities on site to serve future users and would result in an increase in the number of vehicular movements. Resultantly, the proposed development would increase the risk of a traffic accident on the roads within the vicinity of the site, thereby endangering public safety by reason of a traffic hazard. This is contrary to the provisions of the County Development Plan, specifically Policy TM7, the zoning objective 'RES' - 'To protect and / or improve Residential Amenity' and the sustainable development of the area.

The Roads Department has reviewed the current application and considers that there is not adequate drop-off or pick-up facilities on the road. **Refusal** is also recommended in this instance. It is noted that the applicant has indicated areas for drop-off, however, two of these areas are not included within the redline. It was apparent at the time of the site visit that there were vehicles parked in the areas identified. It is not clear that the applicant can guarantee that these spaces would be available when required for pick-up and drop-off.

Given the concerns raised by Roads, it is considered planning permission should be **refused** in this instance.

Residential and Visual Amenity

The proposed extension would extend the property 2.5m on the west side and 5.035m along the east. It is noted that a side passage runs down the west side, thus creating a set-off from the adjacent property. The extension would meet the boundary to the east. It would have a flat roof and would be 2.75m high. Given the scale and height of the proposed extension, it would not have a significant impact on the amenity of the adjacent occupiers in terms of daylight and overbearing impacts. No undue overlooking would result from the proposal.

The dwelling has 3 bedrooms at present, and these would remain should the change of use take place. The CDP 2022-2028 requires that new dwellings provide 60sq.m of rear amenity space. The applicant indicates that there would be a total of 82.84sq.m 'behind the front line of the house'. It is clear that some of these areas would be side passage / bin storage (approx. 5sq.m) and some would be play area (approx. 16sq.m). Sufficient rear amenity space would remain for the property following the extension.

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

Whilst the impacts of the proposed extension are considered acceptable, it is noted that the applicant states in the description of development that the proposal would be used as part of the childcare facility.

The applicant also proposes:

- a new side entrance to the proposed childcare facility,
- internal alterations to include a proposed accessible WC and minor demolition to accommodate for the new extension,
- dishing of the existing footpath to the front of the dwelling to accommodate greater vehicular access to site,
- and all associated ancillary site works.

There would be no significant impacts on visual or residential amenities as a result of these works.

Roads

As stated above, Roads has recommended refusal in this instance.

Green Infrastructure

The site does not appear to be located within any primary or secondary corridors.

The subject application results in a small increase in the footprint of the subject house on an established suburban residential site.

In accordance with 12.4.2 Green Infrastructure and Development Management. Applications for extensions or single houses will also require the submission of a GI Infrastructure Plan which may be incorporated into the proposed landscape plan. It states "*Applications for extensions or single houses will also require the submission of a GI Infrastructure Plan which may be incorporated into the proposed landscape plan. This should clearly incorporate GI elements and provide links to local 'Stepping-Stones,' Cores and Corridors where appropriate. Some smaller scale development may require more detailed GI Infrastructure Plans. Depending on location and context of the site, this will be decided on a case-by-case basis. Regardless of development size or type, applicants must submit an overall site summary quantifying and detailing the following:*

- *tree and hedgerow removal;*
- *tree and hedgerow retention;*
- *new tree and hedgerow planting.*

This information will be submitted in a digital format agreed with the Council to allow amalgamation and reporting on tree and hedgerow cover within the County over time".

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

It is noted that the applicant has included this detail as part of their layout plan. The existing concrete drive and gassed area would be removed and replaced with cobblelock. The existing tree would be retained and a 600mm planted area would be provided.

Subject to a condition surrounding SuDS, the proposal is considered acceptable.

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.

Environmental Impact Assessment

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

Other considerations

Development Contributions

The proposed development comprises.

- change of use and extension for childcare facility 43.37sq.m

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Childcare facilities – additional floor space	16.32sq.m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.023ha

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028, the 'RES' zoning objective, and the proposed parking and drop-off arrangements, it is considered the applicant has failed to provide adequate drop off/pick up facilities on site. The Planning Authority is not satisfied that the proposed development would not give rise to a traffic hazard. It would set an undesirable precedent and would therefore not be in accordance with the 'RES' zoning objective or 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. The proposed development lacks adequate drop off/pick up facilities on site to serve future users and would result in an increase in the number of vehicular movements. Resultantly, the proposed development would increase the risk of a traffic accident on the roads within the vicinity of the site, thereby endangering public safety by reason of a traffic hazard. This is contrary to the provisions of the County Development Plan, specifically Policies COS7 and SM7, the zoning objective 'RES' - 'To protect and / or improve Residential Amenity' and the sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0145/23

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0454

LOCATION: 4, Griffen Glen Drive, Lucan, Co. Dublin K78N277



Colm Harte,
Senior Executive 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: 09/02/23



Gormla O'Corrain, Senior Planner