

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0318 **Application Date:** 29-Jul-2022
Submission Type: Additional **Registration Date:** 30-Jan-2023
Information

Correspondence Name and Address: Desmond J Halpin 15, Carriglea Drive, Firhouse, Dublin, 24

Proposed Development: Remove existing tiled roof to side extension and form new first floor extension over with tiled roof ridge tiles to match existing at same level with external finishes to match existing; proposed new two storey end of terraced dwelling with tiled roof and external finishes to match existing; new front porch; new front driveway; new vehicular access with new dished footpath and associated site works.

Location: 146 St. Maelruans Park, Tallaght, Dublin 24.

Applicant Name: Mary Dalton

Application Type: Permission

(CS)

Description of Site and Surroundings

Site Area

Stated as 554.787ha

Site Description

The application site consists of an end of terrace dwelling as part of a row of four terrace houses. The existing property has a pitched roof on a corner site with stepped down 1.5 storey extension to the side. The subject site contains a single storey front extension (porch) with a hipped roof. The majority of dwellings in the area are mainly characterised by other terraced dwellings with pitched roofs and with a mainly uniform building line.

Proposal

Permission is sought for the following:

- Construction of 2 storey, 3 bedroom, end of terrace dwelling on a corner site to match existing dwelling (105.879sq.m.).
- New first floor extension over to match existing (26.487sq.m.).
- New front porch extension for proposed dwelling.
- New vehicular entrance for proposed dwelling.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Zoning

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

Consultations

Roads – No objection subject to **conditions**.

Irish Water – **Additional Information** recommended.

Surface Water Drainage – **Additional Information** recommended.

Parks Department – No comments following review.

SEA Sensitivity Screening

No overlap indicated with SEA layers.

Submissions/Observations /Representations

None.

Relevant Planning History

SD05A/0040: 1st floor extension with new tiled roof and roof light to front to side of existing two storey end of terrace house and proposed new two storey end of terrace house with tiled roof to match and roof light to rear, new front porch and new driveway.

Decision: **GRANT PERMISSION.**

SD02A/0508: Two storey detached house with new access to side of existing house.

Decision: **GRANT OUTLINE PERMISSION.**

Adjacent sites

SD04A/0048: 166/167, St Maelruan's Park, Tallaght, Dublin 24.

Development of 5 No. two storey dwellings comprising 4 No. 2 bedroom & 1 No. 3 bedroom houses and associated works

Decision: **REFUSE PERMISSION.**

PL 06S.206778 (ABP): **REFUSE PERMISSION.**

Relevant Enforcement History

None.

Pre-Planning Consultation

None.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

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 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 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.

Chapter 6 Housing

Section 6.8 Residential Consolidation in Urban Areas

Policy H9 Private and Semi-Private Open Space

Policy H11 Privacy and Security

H11 Objective 2

To ensure that all developments are designed to provide street frontage and to maximise surveillance of streets and the public realm.

Policy H13 Residential Consolidation

H13 Objective 3

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

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

H13 Objective 5

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

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 8.7.5 Quality of Public Open Space

Policy COS5 Objective 16

To ensure that parks and public open spaces are carefully designed as safe spaces, by implementing the following measures:

- Providing active frontages and maximising passive surveillance from adjacent housing and / or public thoroughfares;
- Eliminating buildings which back-on or gable-front public open spaces;
- Designing corner units with active frontage;
- Encouraging increased use through improved access and quality of facilities’;
- Careful location, design and choice of surface materials and site furniture.

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/0195/23

Record of Executive Business and Chief Executive's Order

Section 12.6.7 Residential Standards

(i) Housing

Table 12.20 Minimum Standards for Housing

Section 12.6.8 Residential Consolidation

(ii) Corner / Side Gardens

- Development on corner and / or side garden sites should be innovative in design appropriate to its context and should meet the following criteria:
- In line with the provisions of Section 6.8 Residential Consolidation in Urban Areas the site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings ensuring no adverse impacts occur on the residential amenity of adjoining dwellings;
- Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain;
- The dwelling(s) should generally be designed and sited to match the front building line and respond to the roof profile of adjoining dwellings where possible.
- Proposals for buildings which project forward or behind the prevailing front building line, should incorporate transitional elements into the design to promote a sense of integration with adjoining buildings;
- The architectural language of the development (including boundary treatments) should generally respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings;
- A relaxation in the quantum of private open space may be considered on a case-by-case basis whereby a reduction of up to a maximum of 10% is allowed, where a development proposal meets all other relevant standards and can demonstrate how the proposed open space provision is of a high standard, for example, an advantageous orientation, shape and functionality;

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

Relevant Government Guidelines

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, 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).

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Assessment

The main issues for assessment are as follows:

- Zoning and Council policy
- Residential & Visual Amenity
- Parks & Landscaping
- Access and Parking
- Services and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

The site is located in an area which is subject to zoning objective 'RES' 'to protect and/or improve residential amenity.' The development of a dwelling is permitted in principle subject to its accordance with the relevant provisions in the Development Plan.

Residential & Visual Amenity

Proposed End of Terrace Dwelling

Internal floor area

The planning drawings submitted show that the internal floor area for the proposed **two storey, 3 bedroom end of terrae dwelling** with pitched roof measures 105.879sq.m. as stated. This would comply with the provisions of the South Dublin County Council Development Plan 2022-2028 which requires a minimum floor area of 72sq.m for a house with three bedrooms (Table 3.20: Minimum Standards for Housing).

Private open space

The planning drawings submitted do not clearly show that the quantity of private open space for the existing dwelling and the proposed dwelling. It is considered this may be addressed by way of **additional information** whereby the applicant is requested to submit a revised proposed site layout plan clearly showing that the quantity of private open space for the existing dwelling and the proposed dwelling.

To comply with South Dublin County Council Development Plan 2022-2028 Section, 12.6.7 Residential Standard, Table 3.20 (Minimum Standards for Housing) a dwelling of three bedrooms must have a minimum private open space of 60sq.m.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Rooms sizes

Bedroom 1 measures c.18sq.m and is considered a double bedroom. Bedroom 2 measures c.12.6sq.m and is considered a double bedroom. Bedroom 3 measures c.6.5sq.m and is considered a single bedroom. This proposed bedroom size (Bedroom 3) does not comply with the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007. To comply with these guidelines the internal floor area for a single bedroom should be at least 7.1sq.m. It is considered this may be addressed by way of **additional information** whereby the applicant should be requested to submit revised drawings clearly showing the internal floor area for Bedroom 3 to measure a minimum of 7.1sq.m.

The unobstructed living room width measures c.4.184m. This would comply with the recommended minimum unobstructed living room widths as set out in the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007 whereby a minimum unobstructed living room width of 3.8m should be achieved for a three bedroom dwelling.

Storage

Drawings submitted show no dedicated storage will be provided for the proposed dwelling. This would not comply with the minimum storage area requirements as per the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007. A minimum of 4sq.m of dedicated storage space should be provided for a 3 bed, 4 person, 2 storey house. Therefore, the level of storage to be provided would not comply with the above policy. It is considered this may be addressed by way of a request for **additional information**.

Overlooking & Separation Distance & Dual Frontage

The proposed end of terrace dwelling will have a side entrance passage and will be offset by c.1m along the northern (side) site boundary to allow for access to the rear. There will be a separation distance of c.9.9m from the northern gable to the northern site boundary. Although there is a first floor window proposed for Bedroom 1 which will face onto the immediate neighbour to the east (No. 147 St. Maelruans Park) it is noted that the proposed window will be facing onto a blank gable wall and therefore there will be no undue overlooking. The proposed first floor landing window (north) will face onto No.166C St. Maelruans Park, and it is noted that this distance between above ground floor windows will be c.27m. This distance accords with the 22m threshold for separation distances to comply with Section 12.6.7 Residential Standards, Separation Distances and Block Layout of the Development Plan 2022-2028 and also provides for some element of dual frontage to be achieved. However, to provide for greater passive surveillance of the public realm it is considered appropriate to make this window larger in design. It is considered this may be addressed by way of **additional information**.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Building lines & Overbearing impact

The proposed main front and rear building lines will broadly align with the established main front and rear building lines set by the existing row of terraces. It is considered that proposed building lines are broadly acceptable in this instance.

Boundary Treatment

The applicant has not submitted clear boundary treatment details for the proposed development. Therefore, the applicant is requested to submit clear boundary treatment details in both plan and elevation for all front, rear and all side boundaries including boundary treatment proposed that will separate the two vehicular entrances for the proposed and the existing dwellings. Proposed boundary treatment details should comply with the South Dublin County Council Development Plan 2022-2028.

Roof Profile

The proposed dwelling will primarily have a pitched roof with a hipped element to the rear. The ridge height of the proposed dwelling will align with the ridge height of the existing dwelling. This would visually accord with the character of the area.

Proposed Extension

The existing 2 storey, end of terrace dwelling has a pitched roof with a stepped down 1.5 storey extension to the side and has a single storey front extension with hipped roof. The proposed extension comprises the construction of a first floor side extension over to replace the existing upper floor of the existing extension. The extension will provide for a two storey extension to replace the existing 1.5 storey extension. The extension will have a pitched roof where the ridge height will align with the ridge height of the main existing dwelling and will no longer be stepped down. At c.6.15m the extension will span the full length of the existing dwelling and will span a width of c.4.18m. There will be no undue overlooking and the proposal would integrate reasonably well with the character of the area and with the character of the existing dwelling.

Parks & Landscaping

A report was received from the Parks Department recommending no comments following review of the application. An extract taken from the Parks report states the following:

I have reviewed the planning application for SD22A/0318 at 146 St. Maelruans Park, Tallaght, Dublin 24, and Public Realm have no comments/conditions to add.

This is noted.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Access and Parking

A report was received from the Roads Department recommending no objections subject to **conditions**. An extract taken from the Roads report states the following:

Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

Description

Remove existing tiled roof to side extension and form new first floor extension over with tiled roof ridge tiles to match existing at same level with external finishes to match existing; proposed new two storey end of terraced dwelling with tiled roof and external finishes to match existing; new front porch; new front driveway; new vehicular access with new dished footpath and associated site works.

No Roads objections subject to the following conditions:

- 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. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.*
- 3. Any gates shall open inwards and not out 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.*

It is considered appropriate to attach the above **conditions** in the event of a grant.

Services and Drainage

Both Irish Water and Surface Water Drainage have recommended Additional Information be submitted. An extract taken from the Irish Water report states the following:

1 Water

All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

2 Foul

2.1 Applicant proposes to discharge additional Surface Water to combined sewer. Obtain a letter of confirmation of feasibility letter from Irish Water for proposed development.

2.3 Submit a Pre connection enquiry with Irish Water for proposed development.

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

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

All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

It is considered appropriate to request the above **additional information**.

An extract taken from the Surface Water Drainage report states the following:

*Surface Water Report: **Further Information** required:*

1.1 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design. Subject to percolation test results passing test, all additional Surface Water is to be directed to proposed soakaway. If the percolation test does not indicate soil conditions are suitable for a soakaway, a written agreement from Irish Water is required in order to connect the surface water overflow to foul system.

1.2 The applicant is required to submit a revised drawing showing plan and cross sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

- i) At least 5m from any building, public sewer, road boundary or structure.*
- ii) Generally, not within 3m of the boundary of the adjoining property.*
- iii) Not in such a position that the ground below foundations is likely to be adversely affected.*
- iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- v) Soakaways must include an overflow connection to the surface water drainage network.*

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Flood Risk No Objection

The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

It is considered appropriate to request the above **additional information**.

Screening for Appropriate Assessment (AA)

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 of a house extension.

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.

Screening for Environmental Impact Assessment (EIAR)

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

- Two storey, 3 bed end of terrace dwelling 105.879sq.m.
- First floor extension to existing dwelling 26.487sq.m.
- Existing ground floor extension measures 32sq.m, therefore 8sq.m. exemption remains.
- Assessable area for new dwelling measures c.105.879sq.m and assessable area for extension to existing dwelling measures c.18.487sq.m.
- Total assessable area measures c.124.36sq.m.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Development Contributions

Planning Reference Number	SD22A/0318
Summary of permission granted & relevant notes:	New Residential Dwelling (105.879sq.m.) & Separate Residential Extension to Existing (26.487sq.m.)
Are any exemptions applicable?	Yes
If yes, please specify:	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
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)	132.366
Amount of Floor area, if any, exempt (m2)	8
Total area to which development contribution applies (m2)	124.36
Total development contribution due	€12,994.38

Conclusion

Request additional information on the following items:

- Quantity of private open space for the existing dwelling and the proposed dwellings.
- Bedroom sizes.
- Storage.
- Boundary Treatment.
- Dual frontage (first floor landing window).
- Requirements for Irish Water.
- Requirements for Surface Water Drainage.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Recommendation

Request Further Information.

Further Information

Further Information was requested on 22/09/22

Further Information was received on 30/01/23

Consultations

Irish Water

No objection

Surface Water Drainage

No objection, **Conditions** recommended.

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

- 1. The planning drawings submitted do not clearly show that the quantity of private open space for the existing dwelling and the proposed dwelling. Therefore the applicant is requested to submit a revised proposed site layout plan clearly showing the deliniationand the quantity of private open space for the existing dwelling and the proposed dwelling. Private Open Space must comply with South Dublin County Council Development Plan 2022-2028 Section, 12.6.7 Residential Standard, Table 3.20 (Minimum Standards for Housing) whereby a dwelling of three bedrooms must have a minimum private open space of 60sq.m.*
- 2. Bedroom 3 measures c.6.5sq.m and is considered a single bedroom. This proposed bedroom size (Bedroom 3) does not comply with the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007. To comply with these guidelines the internal floor area for a single bedroom should be at least 7.1sq.m. Therefore the applicant is requested to submit revised drawings clearly showing the internal floor area for Bedroom 3 to measure a minimum of 7.1sq.m.*
- 3. Drawings submitted show no dedicated storage will be provided for the proposed dwelling. This would not comply with the minimum storage area requirements as per the Quality Housing for Sustainable Communities, Best Practice Guidelines for Delivering Homes Sustaining Communities 2007. A minimum of 4sq.m of dedicated storage space should be provided for a 3 bed, 4 person, 2 storey house. The applicant is requested to submit revised drawings clearly showing that a minimum of 4sq.m. for dedicated storage will be provided.*
- 4. To provide for a greater level of passive surveillance of the public realm it is considered appropriate to make the first floor landing window on the north elevation larger in*

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

- design. Therefore the applicant is requested to submit revised drawings clearly showing the first floor landing window on the north elevation to be larger in design.*
5. *The applicant has not submitted clear boundary treatment details for the proposed development. Therefore the applicant is requested to submit clear boundary treatment details in both plan and elevation for all front, rear and all side boundaries including boundary treatment proposed that will separate the two vehicular entrances for the proposed and the existing dwellings. Proposed boundary treatment details should comply with the South Dublin County Council Development Plan 2022-2028.*
 6. *The applicant is requested to submit the following information:*
 - i. *Applicant proposes to discharge additional Surface Water to combined sewer. The applicant is requested to obtain a letter of confirmation of feasibility letter from Irish Water for proposed development.*
 - ii. *The applicant is requested to submit a Pre connection enquiry with Irish Water for proposed development.*
 7. *The applicant is requested to submit the following information:*
 - i. *There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is requested to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design. Subject to percolation test results passing test, all additional Surface Water is to be directed to proposed soakaway. If the percolation test does not indicate soil conditions are suitable for a soakaway, a written agreement from Irish Water is required in order to connect the surface water overflow to foul system.*
 - ii. *The applicant is requested to submit a revised drawing showing plan and cross sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*
 - *At least 5m from any building, public sewer, road boundary or structure.*
 - *Generally, not within 3m of the boundary of the adjoining property.*
 - *Not in such a position that the ground below foundations is likely to be adversely affected.*
 - *10m from any sewage treatment percolation area and from any watercourse / floodplain.*
 - *Soakaways must include an overflow connection to the surface water drainage network.*

Assessment

Item 1 – Private Open Space

The applicant has provided a site layout plan stating the proposed dwelling would have 61.27 sq.m, with a red line indicating the area that has been included in this calculation. This includes a small passage to the side of the house, which would likely be used for bin storage or otherwise.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Given the scale of this space it is not considered that it would contribute to the amenity value of the private space. No measurements have been provided to confirm the figure provided. Based on the drawing, the actual useable area that could be considered to provide amenity value is approximately 40 sq.m. This is significantly below the Development Plan standard and would not be acceptable.

The existing dwelling would retain in excess of 90 sq.m rear amenity space. This is considered acceptable.

The applicant should be requested, by **condition**, to submit revised layout plans providing 60 sq.m rear garden for the proposed dwelling, with consideration of how the space would be used and the associated amenity value. It is noted that the existing site southern boundary is at a slant, west to east. The applicant should consider replicating a similar layout for the proposed garden of the new dwelling to increase the rear amenity space provided.

Item 2 – Bedroom 3 Amendment

The first-floor layout has been amended, increasing the size of Bedroom 3 to 7.9 sq.m. Bedroom 2 has been reduced in size to 11.97 sq.m. These alterations are considered acceptable.

Item 3 – Storage

Additional storage has been provided at first floor. Dimensions or floor area are not stated for this space but measured from drawings, first floor storage would be approximately 1.1 sq.m. At ground floor the utility room has been renamed utility / store (3.4 sq.m) and 0.7 sq.m would be provided under the stairs. This equates to a total storage of approximately 5.2 sq.m.

The Guidelines require a 3-bedroom 5 person house to have 5 sq.m dedicated storage area. This is therefore considered acceptable.

Item 4 – Passive Surveillance

The window serving the staircase on the side elevation has been altered to provide a square opening. All other windows on the side elevation are rectangular, creating a disjointed appearance. This window should be amended to provide an elongated rectangular window. This would provide significant daylight benefit to the staircase and landing as well as improving the appearance of the dwelling and providing passive surveillance. This can be achieved by **condition**.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Item 5 – Boundary Treatment

The applicant has submitted details of proposed boundary treatments, indicating that all works will be consistent with the boundary treatment of the existing dwelling. This is considered acceptable. As the side passage area has not been accepted as contributing to the rear amenity space, the applicant should consider revising the extent of boundary wall at this location that would be 1.8m in height.

A **condition** should be attached stating that the height of the boundary wall is to be no more than 1m until the side elevation of the dwelling slopes at the location of the utility/store to the east of the window serving the downstairs toilet. This will improve the visual appearance of the site from the public realm and will help with visibility for users of St Maelruan's Park.

Item 6 – Irish Water

Irish Water have reviewed the additional information submitted and have stated no objection to the development, recommending standard **conditions** in relation to connection agreements. In addition, Irish Water have recommended a condition requiring a confirmation of feasibility in relation to the surface water proposals. These **conditions** are considered appropriate.

Item 7 – Surface Water

Water Services have reviewed the additional information and have stated no objection to the development.

Conclusion

The development subject to conditions, is considered to be consistent with the zoning objective 'RES' – 'To protect and/or improve residential amenity', and the relevant provisions in the County Development Plan 2022-2028 and is considered acceptable.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

Other Considerations

Development Contributions

Planning Reference Number	SD22A/0318
Summary of permission granted & relevant notes:	New Residential Dwelling (105.879sq.m.) & Separate Residential Extension to Existing (26.487sq.m.)
Are any exemptions applicable?	Yes
If yes, please specify:	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
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)	132.366
Amount of Floor area, if any, exempt (m2)	8
Total area to which development contribution applies (m2)	124.36
Total development contribution due	€14,811.99

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that, subject to 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. It is considered that the proposal would be consistent with Council policy in relation to extensions to, and construction of, dwelling houses.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

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 xxx, Clarification of Further Information received on xxx and Unsolicited Further Information received on xxx, 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.
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 applicant shall revise the rear garden proposals to provide the proposed dwelling with a 60 sq.m rear garden, that provides an appropriate level of useability and amenity. To achieve this, the southern boundary should slant west to east, to provide additional space to the rear of the rear building line of the proposed dwelling.
 - (b) The first floor landing window shall be provided as an elongated rectangular window, to better complement the existing rectanuglar fenestration of the area. The elongated window will also assist in providing additional passive surveillance and light to the hallway.
 - (c) All windows serving bathrooms and/or wc's shall be fitted with obscure glazing and maintained in perpetuity.
 - (d) The shared boundary wall to the northeast with no. 147 shall be reduced in height to

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

no more than 1m until the side elevation of the proposed dwelling slopes to the east.

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

3. Roads and Access

A. 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.

B. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.

C. Any gates shall open inwards and not out over the public domain.

REASON: To ensure vehicular and pedestrian safety

4. Restriction on Use.

The house shall be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

REASON: To prevent unauthorised development.

5. Irish Water Connection Agreement.

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

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

6. Surface Water Drainage

Prior to the commencement of development, the applicant shall submit, for the written agreement of the Planning Authority, a letter of feasibility from Irish Water, confirming the acceptability of discharging surface water to the foul sewer network.

REASON: In the interest of the proper planning and sustainable development of the area.

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €14, 811.99 (Fourteen Thousand Eight Hundred and Eleven Euros and Ninety Nine Cents), 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

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

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: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

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 arising are remedied immediately.

Comhairle Chontae Atha Cliath Theas

PR/0195/23

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0318

LOCATION: 146 St. Maelruans Park, Tallaght, Dublin 24.



**Aoife O'Connor Massingham,
Assistant 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: 21/02/23



**Gormla O'Corrain,
Senior Planner**