

Comhairle Chontae Atha Cliath Theas

PR/0284/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0372 **Application Date:** 28-Sep-2022
Submission Type: Additional **Registration Date:** 17-Feb-2023
Information

Correspondence Name and Address: GAP Architects 53A, Carndonagh Park,
Donaghmede, Dublin 13

Proposed Development: Demolition of existing two storey detached dwelling house and outbuildings; Construct new purpose built three storey mixed used building with, a new physiotherapy practice, consisting of 5 consultation rooms, office space, staff areas as well as a rehab gym and studio area, all over two floors at ground and first floor levels; One bedroom apartment with own door access and dedicated private balcony area at the second floor level; 5 car parking spaces and secure bicycle parking for 6 bicycles all on site; Back lit signage to the front facade of the building; All associated site development works.

Location: Saint Claires Villa, Lucan Road, Lucan, Co. Dublin,
K78 X0N1

Applicant Name: John Shenton & Margaret Hanlon

Application Type: Permission

Description of Site and Surroundings

Site Area: stated as 0.0357 Hectares.

Site Description

The subject site is located on the northern edge of Lucan Road, a short distance from the junction of Chapel Hill and Lucan Road and approximately 750m to the southwest of Lucan. The site is comprised of a 2 No. storey detached two bedroom dwelling known as 'Saint Claire's Villa', with a front and rear garden and outbuildings in the form of a firewood store and shed located in the rear garden. The site is accessed via a pedestrian gate off Lucan Road in the centre of a low stone wall which forms the principal boundary treatment to the front of the site.

The surrounding context of the subject site includes a mix of uses in the form of residential apartments to the west, schools to the south on the opposite side of Lucan Road and commercial uses.

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Proposal

Permission is being sought for development comprised of the following:

- Demolition of the existing 2 No. storey detached dwelling and ancillary outbuildings (stated as 88 sq.m).
- Removal of the existing boundary treatment to the front of the site along Lucan Road, comprised of a low stone wall and pedestrian gate.
- Construction of a part 2 No. to part 3 No. storey mixed-use building with an approximate gross floor area of 380 sq.m comprised of:
 - A physiotherapy practice at ground and first floor level, with an approximate Gross Floor Area of 304 sq.m, containing 5 No. consultation rooms, office space, ancillary staff areas, a rehab gym and studio area.
 - An own door access one bedroom apartment located at second floor level and comprised of an ensuite bedroom, a living/kitchen/dining area, storage, a bathroom and a private balcony with a south eastern aspect and an approximate area of 22.7 sq.m.
- Car parking spaces for 5 No. cars (including 1 No. accessible space) located to the front of the proposed building, 6 No. bicycle parking spaces, bin store, signage to the front façade of the proposed building.
- All ancillary works above and below ground.

Zoning

The subject site is subject to zoning objective 'RES' in the South Dublin County Development Plan 2022-2028, where the stated objective is '*to protect and/or improve residential amenity*'.

Overlap is indicated with the following Development Plan Map layers:

- Bird Hazards
- Conical Surface – Weston Aerodrome
- Outer Horizontal Surface – Dublin
- Outer Horizontal Surface – Casement Aerodrome

Consultations

Drainage and Water Services Department:	Additional information requested.
Irish Water:	No objection subject to conditions.
Roads Department:	Refusal recommended.
Parks and Public Realm Department:	Additional information requested.
Architectural Conservation Officer:	Additional Information requested.
Heritage Officer:	No report received at the time of writing.

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H.S.E. Environmental Health Officer	No objection, subject to conditions.
Waterways Ireland:	No report received at the time of writing.
Transport Infrastructure Ireland:	No report received at the time of writing.

SEA Sensitivity Screening

Overlap is indicated with the PNHA SEA Sensitivity layer, owing to the subject site's proximity to the Liffey Valley Natural Heritage Area.

Submissions/Observations /Representations

Final date for submissions/observations – 1st November 2022.

None received.

Relevant Planning History

Subject site

SD10B/0022

Proposed vehicular access and hardstanding for driveway and off-street car parking.

SDCC Decision: Grant Permission, subject to conditions.

SD06A/0552

Demolition of existing dwelling & construction of 1no. 2 storey, 5-bedroom detached dwelling with balcony, bay windows and main entrance facing south-east together with 1no. skylight facing north-west and the provision of 2no. carparking spaces and disabled ramp access facing south/east and all landscaping, boundary treatment and site development works.

SDCC Decision: Grant Permission, subject to conditions.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

PP107/22

A Pre-Application Consultation Report Form was issued to the Applicant on 18th February 2022. The following are the key points contained therein:

- It is noted that the area is not predominantly residential, the principle of the proposed physiotherapy clinic could therefore be considered acceptable, subject to a detailed assessment in relation to the relevant policies and objectives of the Development Plan.
- The proposed apartment is required to comply with *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020)* and the relevant standards, policies and objectives of the Development Plan.
- Further details in relation to the subject site's accessibility is required.

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- Consideration should be given to traffic and pedestrian safety.
- It should be demonstrated that the dwelling is not of local historic interest.
- Sustainable Urban Drainage Systems should be utilised and showing on a Surface Water Layout drawing.
- Details of the site's Flood Risk should be outlined.
- An Irish Water Pre-Connection Enquiry is advised.
- The site is in close proximity to the Liffey Valley PHNA, Liffey Valley High Amenity Area and Liffey Valley SAAO. Impact on the landscape and ecology of these areas should be considered.
- The proposal would result in a significant increase in hardstanding, this should be reduced where possible.
- The Application should include appropriate plans/sections showing the relationship of the site with the opposing/adjacent properties, photomontages indicating the site in its context, details of boundary treatments (including materiality), a Daylight/Sunlight Analysis and Construction and Demolition Waste Management Plan and Ecological and Bat Survey Assessments.

Further Pre-Planning feedback was issued by email which outlined the following key points:

- Direct vehicular access to the road is not preferred. Currently there is no vehicular access at this location, and it would be potentially hazardous to provide this type of access. The location close to schools and pedestrian crossing is not ideal. A Road Safety Audit should be provided.
- Quantum of car parking - The county development plan has clinics at 1.5no. car spaces per room in zone 2. Resulting in approximately 8 No. spaces. The location is close to public transport, so it is zone 2 resulting in a reduced car parking provision.
- The bicycle parking spaces should be secured and covered.
- The Applicant indicated there is potential for the car park to the north of the subject site to be utilised. The car park to the north is not in public ownership and permission from the owner would be required. A Letter of Agreement would be required from the owner of the car park.

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

Policy NCBH1: Overarching

Policy NCBH2: Biodiversity

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

NCBH21 Objective 1:

To retain existing buildings that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity or streetscape value within the County.

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NCBH21 Objective 2:

To ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including surrounding housing estates or streetscapes.

NCBH21 Objective 3:

To encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features where such buildings and features contribute to the visual setting, collective interest or character of the surrounding area.

NCBH21 Objective 4:

To ensure that infill development is sympathetic to the architectural interest, character and visual amenity of the area.

Chapter 4 Green Infrastructure

Section 4.1 Methodology

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.

Section 4.2.1 Biodiversity

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

Section 4.2.2 Sustainable Water Management

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

Policy GI5: Climate Resilience

Policy QDPI: Successful and Sustainable Neighbourhoods

QDPI Objective 3:

To protect the quality, ambiance, vibrancy and vitality of urban centres by promoting an appropriate mix of complementary and compatible day and night-time uses, including commercial, recreational, civic, cultural, leisure and residential uses.

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QDP1 Objective 4:

To reinforce the network of urban centres as the appropriate locations for new mixed-use development, ensuring that the existing context including identified built and natural assets, urban design, integration and potential for connectivity fully informs development.

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP6: Public Realm

QDP6 Objective 3:

To promote and implement environmental and public realm improvements in existing town, village, district and local centres to a high standard and finish to ensure that the design addresses environmental quality, urban design, safety including the potential for anti-social behaviour, identity, and image.

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)

QDP8 Objective 2:

In accordance with NPO35, SPPR1 and SPPR3, to proactively consider increased building heights on lands zoned Regeneration (Regen), Major Retail Centre (MRC), District Centre (DC), Local Centre (LC), Town Centre (TC) and New Residential (Res-N) and on sites demonstrated as having the capacity to accommodate increased densities in line with the locational criteria of Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) and the Urban Design Manual – Best Practice Guidelines (2009), where it is clearly demonstrated by means of an urban design analysis carried out in accordance with the provisions of South Dublin County's Building Height and Density Guide that it is contextually appropriate to do so.

Policy QDP9: High Quality Design - Building Height and Density

Policy QDP10: Mix of Dwelling Types

Policy QDP11: Materials, Colours and Textures

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 SM2: Walking and Cycling

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Policy SM7: Car Parking and EV Charging

Policy COS5: Parks and Public Open Space – Overarching

Policy E3: Energy Performance in Existing and New Buildings

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE7: Waste Management

Policy IE8: Environmental Quality

Policy IE9: Casement Aerodrome

Chapter 12 Implementation and Monitoring

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management

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

12.6.10 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)

Section 12.8.3 Healthcare Facilities

All planning applications for health facilities including medical practices and primary care centres should include full details to allow an understanding of the nature and extent of the proposed development, including the following:

- *Details of proposed medical or related professional activities (for example, GP, dentist, physiotherapist);*
- *Any associated commercial activity (for example, pharmacy);*
- *Proposed number of practitioners and support staff;*
- *Intended hours of operation;*
- *Confirmation of support from HSE (in the case of Primary Care Centres);*
- *Mobility management plan (in the case of large Primary Care Centres).*

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Small scale medical surgeries / practices (for example, doctor / dentist / physiotherapist) are open for consideration in established areas, subject to appropriate safeguards to protect the residential amenity of the area. The applicant will be required to demonstrate a spatial rationale for the conversion of a full dwelling in the context of:

- *The availability of alternative sites in the area;*
- *The location of schools and employment;*
- *Public transport services;*
- *Existing healthcare facilities.*

COS6 Objective 1:

To facilitate the development of community-based care including primary health care centres, hospitals, clinics, and facilities to cater for the specific needs of an ageing population in appropriate urban areas in accordance with the Development Plan core and settlement strategy, consistent with RPO 9.23 of the RSES.

COS6 Objective 3:

To support the provision of appropriately scaled healthcare facilities within existing settlements, in locations that are accessible by public transport and safe walking and cycling infrastructure.

COS6 Objective 4:

To support the provision of primary care facilities with relevant agencies, in accordance with the standard of one facility per 7,000-10,000 population as identified by the Department of Health.

COS6 Objective 5:

To liaise with the Health Service Executive and all relevant bodies to support, promote and attract potential GP, Dental, Pharmacy and all other necessary medical services, to locate within the Adamstown and Clonburris SDZs, in order to urgently meet basic growing healthcare demands of the community

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

12.11.5 Aviation, Airports and Aerodromes

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Relevant Government Guidelines

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

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

Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional Spatial and Economic Strategy 2019 – 2031.

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

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).

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

Sustainable Urban Housing: Design Standards for New Apartments, Department of Housing, Local Government and Heritage, (2020)

Urban Development and Building Heights Guidelines for Planning Authorities, Department of Housing, Planning and Local Government, (2018).

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

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

Assessment

The main issues for assessment relate to:

- Planning Note
- Zoning and Relevant Policy.
- Visual and Residential Amenity.
- Vehicular Access and Parking.
- Drainage and Water Services.
- Landscape and Open Space.
- Green Infrastructure.
- Environmental Health.

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- Environmental Impact Assessment.
- Appropriate Assessment.

Zoning and Relevant Policy

Planning Note

It is noted that the application red line boundary does not include a significant portion of the site located to the rear of the application site, which would appear to be without any independent access and would be landlocked, should the current application be approved. It is recommended that the further information in this regard be requested.

Land Use Zoning

The application site is subject to land-use zoning objective 'RES'- *to protect and/or improve residential amenity* in the South Dublin County Development Plan 2022-2028.

Demolition of Existing Buildings

The proposed development includes the demolition of the existing of the existing 2 No. storey detached dwelling and ancillary outbuildings (stated as 88 sq.m) and the removal of the existing boundary treatment to the front of the site along Lucan Road which consists of a low stone wall with a centrally located pedestrian gate which is the principal access point to the site.

Other than the existing plans and elevations insufficient information has been provided in relation to the existing dwelling. The Applicant has not provided a justification for the demolition of the dwelling over adaptive use, nor has a clear rationale been outlined for the removal of the existing stone wall. It is considered that the low stone wall and gate add character to the streetscape along Lucan Road. The South Dublin County Development Plan 2022-2028 contains policies and objectives which promote and encourage the re-use of older buildings:

Section 3.5. Built Heritage:

'Reimagining our stock of older buildings through reuse, repair and energy upgrading is an important consideration for sustainable development and urban regeneration and is a key goal of national and regional planning policy. Reuse of old buildings is also an important response to climate change as retention of such buildings retains embodied energy, preserves craftsmanship and is a carbon neutral option.'

NCBH21 Objective 1:

To retain existing buildings that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity or streetscape value within the County.

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NCBH21 Objective 2:

To ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including surrounding housing estates or streetscapes.

NCBH21 Objective 3:

To encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features where such buildings and features contribute to the visual setting, collective interest or character of the surrounding area.

NCBH21 Objective 4:

To ensure that infill development is sympathetic to the architectural interest, character and visual amenity of the area.

Owing to the insufficient information provided by the Applicant, a complete assessment cannot be carried out on the impact on the character of the streetscape caused by the demolition of the existing dwelling and removal of the boundary wall. In this regard, the Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of an Architectural Impact Assessment carried out by a suitably qualified professional and a detailed justification for the proposed development including consideration of whether or not the existing dwelling could be adapted and re-purposed for the proposed development and whether the existing boundary wall could be fully or partially retained to lessen the impact on the streetscape. In responding to the request for **ADDITIONAL INFORMATION**, the Applicant should have regard to the above outlined policies and objectives from the Development Plan and give consideration to whether or not the proposed development is sympathetic to the architectural interest, visual setting and character of the streetscape.

Criteria for Assessing Healthcare Facilities

The South Dublin County Development Plan 2022-2028 contains the following criteria in Section 12.8.3 for information to be included with all Planning Applications for Healthcare Facilities, such as the proposed development:

- *Details of proposed medical or related professional activities (for example, GP, dentist, physiotherapist);*

The Cover Letter prepared by GAP Architecture and Design dated 27th September 2022 outlines the intention of the Applicant intends to relocate their existing physiotherapy clinic to the proposed purpose-built mixed-use building which includes 5 No. consultation rooms, office space, ancillary staff areas, a rehab gym and studio area.

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- *Any associated commercial activity (for example, pharmacy);*

Whilst it is clear that the proposed rehab gym and studio area are ancillary to the physiotherapy clinic, it is unclear whether or not these facilities will be available to members of the public who are not attending the clinic. However, should the Planning Authority be minded to Grant Permission for the proposed development, a **CONDITION** could be attached requiring the rehab gym and studio to operate only as ancillary to the physiotherapy clinic.

- *Proposed number of practitioners and support staff;*

The Cover Letter prepared by GAP Architecture and Design dated 27th September 2022 indicates that the existing physiotherapy clinic has a total of 8 No. members of staff who work in rotation and that it is envisaged the new premises as proposed in this Planning Application will have the same number of staff.

- *Intended hours of operation;*

The intended operational hours of the proposed physiotherapy clinic are 08:00 – 20:00. However, it is not indicated how many days per week the clinic will be open. It is noted that the existing physiotherapy clinic operated by the Applicant is open Monday – Friday from 08:00-20:00, Saturday from 09:00 – 13:00 and closed Sundays.

- *Confirmation of support from HSE (in the case of Primary Care Centres);*

From the information provided it is understood that the proposed Physiotherapy Clinic is intended to be operated as a private business and not a Primary Care Centre.

- *Mobility management plan (in the case of large Primary Care Centres).'*

Not applicable as the proposed Physiotherapy Clinic is intended to be operated as a private business and not a Primary Care Centre.

Section 12.8.3 of the Development Plan also outlines the following criteria for small scale medical practices:

'Small scale medical surgeries / practices (for example, doctor / dentist / physiotherapist) are open for consideration in established areas, subject to appropriate safeguards to protect the residential amenity of the area. The applicant will be required to demonstrate a spatial rationale for the conversion of a full dwelling in the context of:

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- *The availability of alternative sites in the area;*
- *The location of schools and employment;*
- *Public transport services;*
- *Existing healthcare facilities.'*

The subject site is located a short distance from schools and on the outskirts of Lucan. The Applicant has provided information in relation to the public transport services. However, no information has been provided in relation to the availability of alternative sites and similar existing facilities in the area. Whilst it is accepted that the proposal involves the relocation of an existing physiotherapy clinic to a new purpose-built facility, no information has been provided regarding whether consideration was given to any alternative sites in the area which would not require the demolition of an existing dwelling and removal of boundary treatment, both of which are considered to contribute the architectural heritage and character of the streetscape. In this regard, the Applicant should be requested to provide a rationale for the proposed development in the context of the criteria outlined in Section 12.8.3 of the Development Plan.

Whilst the principle of a Physiotherapy Clinic use is acceptable at this location, **ADDITIONAL INFORMATION** is required from the Applicant to facilitate a complete assessment of the proposal under Section 12.8.3 of the South Dublin County Development Plan. In particular the Applicant should be requested to outline a consideration of alternative sites in the area and a justification for the demolition of the existing dwelling and removal of the stone wall boundary treatment.

Residential Standards

The proposed development includes the provision of an own door access one bedroom apartment located at second floor level and comprised of an ensuite bedroom, a living/kitchen/dining area, storage, a bathroom and a private balcony with a south eastern aspect and an approximate area of 22.7 sq.m.

Table 3.21 of the South Dublin County Development Plan 2022-2028 indicates the minimum standards required for apartments, in line with SPPR 3 of the *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020)*. According to the plans and particulars provided by the Applicant the proposed apartment meets the minimum floor area and private open space requirements. However, the minimum 3 sq.m of storage space does not appear to have been provided. In this regard, the Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of revised plans and particulars which demonstrate the provision of the minimum requirement for storage space.

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Visual and Residential Amenity

Existing Residential Amenity

The closest buildings to the subject site are the part 2 No. part 3 No. Chapel View apartment buildings located immediately to the southwest and the part 1 No. to part 2 No. funeral home building to the northeast. The proposed building would be setback approximately 1.5m to the southwester boundary and approximately 1.5m to the northeastern boundary. Whilst the Applicant has provided a Shadow Assessment, insufficient information is provided to fully assess the potential overshadowing and overbearing impact on the adjacent properties. In this regard, the Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of a detailed Daylight, Sunlight and Shadow Assessment and Report carried out by an appropriately qualified professional. The Report should provide a detailed analysis of the proposed development and the potential impact on adjoining properties, with specific reference to the relevant BRE Guidance on impacts on sunlight, annual probable sunlight hours and average daylight factor. A particular concern arises in relation to the proximity of the proposed building to the Chapel View apartments. Having regard to the proximity of the proposed development to the nearest apartment block, a concern arises in relation to the potential for the proposal to impact on the habitable rooms and amenity areas of the apartments. The Daylight, Sunlight and Shadow Assessment should provide a detailed analysis of the potential impact on the adjacent apartment block having regard to the standards outlined in the BRE Guidelines. If the analysis shows an unacceptable level of impact on adjacent properties, the Applicant should re-design the proposed development to negate any impact.

Proposed Building Height

The proposed development would be part 2 No. to part 3 No. storeys, with an approximate maximum overall height of 10.07m and an approximate shoulder height of 8m for the 2 No. storey element which is set back from the front building line.

Whilst the Applicant has provided a Shadow Analysis of the proposed development, insufficient justification has been provided for the increased height at the subject site. It is acknowledged that the increased height takes its cue in some degree from the adjacent apartment block at Chapel View, however a concern arises in relation to the potential for the proposed building to overshadow and overbear the adjacent properties. As a result of the failure to provide a detailed Daylight, Sunlight and Shadow Assessment, a complete assessment of the proposed height increase is not possible. In addition to providing a Daylight, Sunlight and Shadow Assessment, the Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of an urban design analysis carried out in accordance with the provisions of South Dublin County's Building Height and Density Guide. The analysis should aid in the determination of whether or not the proposed height increase is contextually appropriate.

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If the analysis demonstrates an adverse impact on adjacent properties, the proposed development should be re-designed to negate any adverse impact on adjacent properties. Should any re-design be necessary, the Applicant should provide a complete set of revised plans and particulars.

Design and Visual Impact

The proposed development would be built with a much larger building footprint to the existing dwelling on the subject site. The proposed building would largely match the building line of the Chapel View apartments but would project approximately 5m forward of the building line of the adjacent Funeral Home. Whilst in usual circumstances such a forward projection would not be acceptable, it is acknowledged that the adjacent Funeral Home has a contemporary design with a non-uniform building line which does not readily lend itself to be easily matched. Having regard to the non-residential nature of the use at the adjacent site and the staggered line of the proposed building which references that of the adjacent Funeral Home, the forward projection is considered appropriate in this instance.

All elements of the proposed building would have a flat roof. The drawings provided by the Applicant do not appear to indicate the inclusion of green roofs or photovoltaic panels to the flat roofs of the proposed building. This is considered a missed opportunity having regard to the clear narrative within the South Dublin County Development Plan 2022-2028 to encourage the provision of energy efficient measures and green infrastructure in new buildings. In responding to the request for the **ADDITIONAL INFORMATION**, the Applicant should provide revised drawings which indicate the inclusion of such measures.

As previously outlined a significant concern arises in relation to the potential for the bulk and scale of the proposed building to have an overbearing and overshadowing impact on adjacent properties. It is recommended that appropriate technical analysis reports be requested from the Applicant. Should these reports indicate that amendments are required to the design and layout of the proposed development, the Applicant should provide a complete set of revised plans and particulars.

The existing low stone wall and pedestrian gate is proposed for removal. In its place the proposed development includes the provision of 5 No. car parking spaces and hard surfacing. This would have a significant visual impact on the architectural heritage and character of the streetscape and adjacent public realm. As outlined in the forthcoming section regarding *Vehicular Access and Car Parking*, the proposed car parking arrangement would be entirely unacceptable to the Planning Authority.

In re-designing the layout of the proposed development, the Applicant should make every effort to retain as much of the low stone wall as possible to negate the visual impact on the streetscape. This can be addressed by way of **ADDITIONAL INFORMATION**.

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Vehicular Access and Parking

The Roads Department have provided the following assessment of the key vehicular access and car parking issues in relation to the proposed development:

Road lining

There is a continuous white line on the main road which would prohibit cars travelling SW on the Lucan road from entering.

Parking

Roads have significant concerns regarding the parking proposal. There is a pedestrian crossing nearby and a school crossing also. Roads would not be in favour in introducing the proposed parking arrangement which would see cars reversing across the public footpath from 5 different spaces at random intervals, and which would introduce significant additional risk to pedestrians and other vulnerable users along the long stretch of proposed perpendicular parking'.

On the basis of the significance of the above outlined concerns, the Roads Department have recommended that permission be **REFUSED** for the proposed development.

The report from the Roads Department is noted. However, having regard to the **ADDITIONAL INFORMATION** required by other Departments to facilitate a complete assessment of all aspects of the proposed development, it is considered that the Applicant should be afforded an opportunity to re-design the proposed development to address the concerns of the Roads Department. The proposed site layout with a car parking arrangement which could result in vehicles reversing across a public footpath onto a main road is entirely unacceptable to the Planning Authority. The applicant should be requested by way of **ADDITIONAL INFORMATION** to revise the layout and design of the proposed development to provide a more appropriate vehicular access and car parking arrangement which would lessen the safety risks to pedestrians and other vulnerable users. Swept path analysis and AutoTrak drawings and information in relation to refuse and emergency vehicles should also be provided.

If it is not feasible to provide sufficient car parking at the subject site with safe access/egress, the Applicant should consider alternatives. For example, the Pre-Planning submission made reference to the potential to utilise the nearby car park located a short distance from the subject site. The Applicant was advised that this may be considered appropriate, but a Letter of Agreement from the owner of the car park would be required along with a demonstration that there are sufficient car park spaces available therein. No such information has been provided by the Applicant.

It should be noted that if the Applicant cannot satisfactorily address the concerns of the Roads Department, permission may ultimately be refused for the proposed development in the interests of pedestrian and traffic safety.

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Drainage and Water Services

The Drainage and Water Services Department has assessed the proposed development, with their Report indicating that the following **ADDITIONAL INFORMATION** is required:

- *The proposed attenuation provided of 0.56m³ is undersized by approximately 90%. Prior to commencement of development submit a drawing showing additional surface water attenuation for proposed development. Additional attenuation shall be by means of SuDS (Sustainable Drainage Systems).*
- *The applicant is required to submit a revised drawing and report showing additional surface water attenuation provided by means of SuDS (Sustainable Drainage Systems). SuDS features could include but are not limited to Permeable paving and other such SuDS.'*

In designing the Sustainable Urban Drainage Systems layout for the proposed development, the Applicant should have regard to the SuDS Explanatory Design and Evaluation Guide, a copy of which is available on the South Dublin County Council website at the following link: [sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](https://www.sdcc.ie/sustainable-drainage-explanatory-design-and-evaluation-guide.pdf)

The Report of the Drainage and Water Services Department is noted, and it is considered that the **ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development.

Irish Water has reviewed the proposed development and has no objections subject to standard conditions. This report is noted and shall be conditioned as such should the Planning Authority be minded to Grant Permission for the proposed development.

Landscape and Open Space

The Parks and Public Realm Department have assessed the proposed development, with their Report indicating that the following **ADDITIONAL INFORMATION** is required:

- **Landscape and Green Infrastructure Plan**

The site lies within the Liffey Valley Primary Green Infrastructure Corridor and on the edge of the Liffey Valley Core Area. There are concerns with the absence of information submitted in relation to landscape and green infrastructure for the development site. The applicant shall submit and agree a comprehensive landscape and green infrastructure plan with SDCC Public Realm Section. The landscape and green infrastructure proposals shall include:

- a) A Green Infrastructure Plan, which may consist of a simple landscape plan that includes objectives to protect or restore existing on site GI assets, provides for

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connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone.

i) The Green Infrastructure Plans shall include:

- Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;
- Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;
- Indicate how the development proposals link to and enhance the wider GI Network of the County;
- Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site.

a) A Landscape Plan to scale of not less than 1:500 showing –

- i) The species, variety, number, size and locations of all proposed planting.
- ii) Details of Hard landscape works, specifying surface material.
- iii) (Natural) SuDs features such as blue/green roofs, permeable pavement, bioretention areas, rain gardens, filter drains, swales, bioretention tree pits.
- iv) Details of (natural) SuDs features showing how they work.
- v) Detailed Sections and Elevations

b) Planting material where possible should be native and/or pollinator friendly Irish Grown Nursey Stock. The importation of foreign planting material should be avoided within the proposed planting scheme. Trees to be minimum 18-20cmg at planting.

• **Sustainable Drainage Systems (SuDS)**

The proposed drainage system is not acceptable and is contrary to SDCC County Development Plan objectives for sustainable drainage. The applicant is requested to revisit the design of the proposed development and submit revised plans and particulars to include:

- i) Above ground natural multifunctional (*amenity, biodiversity, water treatment/quality and attenuation*) sustainable natural drainage solutions such as blue/green roofs, permeable pavement, bioretention areas, rain gardens, filter drains, swales, bioretention tree pits.
- ii) Demonstrate the biodiversity value of SuDS - especially important given the site is in a Primary Green Corridor and next to a Core area.

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- iii) Existing and modified flows.
- iv) Detailed design of SUDs features showing how they work.
- v) A comprehensive SUDS management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage.
- vi) Landscape and drainage proposals to be consistent in SuDS proposals.

- **Green Space Factor (GSF)**

The applicant has not submitted any information in relation to the Green Space Factor.

The quantity and quality of green infrastructure provided by new development will be improved by the implementation of a Green Space Factor (GSF) for South Dublin. The GSF is a measurement that describes the quantity and quality of landscaping and GI across a defined spatial area. This measurement comprises a ratio that compares the amount of green space to the amount of impermeable 'grey' space in a subject site. As a planning tool, this ratio is used to assess both the existing green cover within a site and the impact of new development, based on the quantity and quality of new green space provided. Greening factors have been adopted and implemented across the UK, Europe and the United States to help ensure that new development makes a positive contribution to the local environment. By ensuring that new development meets minimum standards for the provision of GI the GSF aims to secure a positive contribution to biodiversity, amenity, air quality, stormwater management, temperature regulation and other ecosystem services. The GSF prioritises the retention of existing GI features within a subject site, in order to support the protection of the County's existing GI network. At the same time, the GSF will ensure that new development incorporates new landscaping and GI features, contributing to the enhancement of the overall GI network. Chapter 12, section 12.4.2 provides further detail on the requirements for the GSF as part of planning applications. The Green Space Factor calculator and Guidance Note can be found online in the adopted plan related documents at <https://www.sdcc.ie/en/devplan2022/adopted-plan/related-documents>.

The Report of the Parks and Public Realm Department is noted, and it is considered that the **ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development.

Green Infrastructure

The subject site is located within the Liffey Valley River Primary Green Infrastructure Corridor as identified on Figure 4.4: Green Infrastructure Strategy Map in the South Dublin County Development Plan 2022-2028.

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Policy G12 of the Development Plan requires the strengthening of the Green Infrastructure (GI) network and to ensure all development contribute towards GI. G14 of the CDP requires the provision of Sustainable Drainage Systems (SuDS) in the County and maximise the amenity and biodiversity value of these systems. In this regard the Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of a Green Infrastructure Plan, which may consist of a simple landscape plan that includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone. The Green Infrastructure Plan should be coordinated with the Landscape Plan and Sustainable Urban Drainage Systems Plan for the subject site.

Environmental Health

The H.S.E. Environmental Health Officer has assessed the proposed development, with their Report indicating no objection subject to **CONDITIONS** in relation to construction hours, noise levels arising from construction, dust suppression, refuse storage, pest control, operational noise levels and public health. Should the Planning Authority be minded to Grant Permission for the proposed development, it is considered appropriate that the **CONDITIONS** indicated by the H.S.E. Environmental Health Officer be attached.

Screening for Environmental Impact Assessment

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

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established urban area and has an existing use on site. Having regard to the scale and nature of the proposed development, the location of the development within a serviced urban area so that any construction surface water runoff will be managed via the existing drainage system, the consequent absence of a pathway to a 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.

Conclusion

While the principle of the proposed development is acceptable, significant concerns arise in relation to the design and layout of the proposal having particular regard to the potential to have an overbearing and overshadowing impact on adjacent properties and the traffic and pedestrian safety issues created by the proposed car parking layout. The Applicant should be requested to

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provide a detailed justification for the design, siting and layout of the proposed development, including a rationale as to why the existing building could not be re-purposed. Concerns also arise in relation to the potential adverse visual impact of the removal of the low stone wall which forms part of the intrinsic character of the streetscape along Lucan Road. A significant redesign of the proposed development is required to address the traffic safety, architectural heritage, overbearing and overshadowing issues. **ADDITIONAL INFORMATION** is also required in relation to drainage and water services infrastructure, green infrastructure and green space factor of the proposed development.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The Applicant is requested to provide a complete set of revised site layout, plan, sectional and elevational drawings demonstrating the following amendments:
 - (i) A more appropriate site layout plan with a car parking arrangement which would not result in unsafe vehicular movements which would cause a pedestrian or traffic safety hazard.
 - (ii) In re-designing the layout of the proposed development, the Applicant should make every effort to retain as much of the low stone wall as possible to negate the visual impact on the streetscape.
 - (iii) Having regard to the clear policy narrative within the Development Plan 2022-2028 to include energy efficient measures and green infrastructure in new buildings, the Applicant should provide revised drawings which indicate the inclusion of measures such as green roofs and Photovoltaic panels.
 - (iv) Having regard to Section 12.8.3 of the Development Plan, the Applicant is requested to outline a consideration of alternative sites in the area and a justification for the demolition of the existing dwelling and removal of the stone wall boundary treatment.
 - (v) An urban design analysis carried out in accordance with the provisions of South Dublin County's Building Height and Density Guide. The analysis should aid in the determination of whether or not the proposed height increase is contextually appropriate. If the analysis demonstrates an adverse impact on adjacent properties, the proposed development should be re-designed to negate any adverse impact on adjacent properties. Should any re-design be necessary, the Applicant should provide a complete set of revised plans and particulars.
 - (vi) Adequate storage space for the apartment unit in line with the minimum requirements of Table 3.21 of the Development Plan.

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2. The Applicant is requested to provide a detailed Daylight, Sunlight and Shadow Assessment and Report carried out by an appropriately qualified professional, including a detailed analysis of the proposed development and the potential impact on adjoining properties, with specific reference to the relevant BRE Guidance on impacts on sunlight, annual probable sunlight hours and average daylight factor.
3. The applicant is requested to provide the following information to facilitate a complete assessment of the proposed development:
 - (i) A Construction & Demolition Waste Management Plan (C&DWMP), to include details of the number of loads, haulage routes, times of works, etc.
 - (ii) A site layout plan of not less than 1:100 scale, showing a swept path analysis drawing (i.e., AutoTRAK or similar) demonstrating:
 - (a) how cars safely access/egress the proposed new parking spaces.
 - (b) that fire tenders and large refuse vehicles can access/egress the site.
4. The applicant is requested to obtain:
 - (i) A Confirmation of Feasibility letter from Irish Water regarding the proposed water supply network and submit same to the Drainage and Water Services Department of South Dublin County Council.
 - (ii) A Confirmation of Feasibility letter from Irish Water regarding the proposed wastewater network and submit same to the Drainage and Water Services Department of South Dublin County Council.
5. Sustainable Drainage Systems
 - (i) The Applicant is requested to submit a drawing showing additional surface water attenuation for proposed development. Additional attenuation shall be by means of SuDS (Sustainable Drainage Systems).
 - (ii) The applicant is required to submit a revised drawing and report showing additional surface water attenuation provided by means of SuDS (Sustainable Drainage Systems) to include:
 - a) Above ground natural multifunctional (amenity, biodiversity, water treatment/quality and attenuation) sustainable natural drainage solutions such as blue/green roofs, permeable pavement, bioretention areas, rain gardens, filter drains, swales, bioretention tree pits.
 - b) Demonstrate the biodiversity value of SuDS - especially important given the site is in a Primary Green Corridor and next to a Core area.
 - c) Existing and modified flows.
 - d) Detailed design of SUDs features showing how they work.

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- e) A comprehensive SUDS management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage.
 - f) Landscape and drainage proposals to be consistent in SuDS proposals.
6. The applicant shall submit and agree a comprehensive landscape and green infrastructure plan with SDCC Public Realm Section. The landscape and green infrastructure proposals shall include:
- i) A Green Infrastructure Plan, which may consist of a simple landscape plan that includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone.
 - a) The Green Infrastructure Plans shall include:
 - Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;
 - Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;
 - Indicate how the development proposals link to and enhance the wider GI Network of the County;
 - Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site.
 - ii) A Landscape Plan to scale of not less than 1:500 showing –
 - a) The species, variety, number, size and locations of all proposed planting.
 - b) Details of Hard landscape works, specifying surface material.
 - c) (Natural) SuDs features such as blue/green roofs, permeable pavement, bioretention areas, rain gardens, filter drains, swales, bioretention tree pits.
 - d) Details of (natural) SuDs features showing how they work.
 - e) Detailed Sections and Elevations
 - iii) Planting material where possible should be native and/or pollinator friendly Irish Grown Nursey Stock. The importation of foreign planting material should be avoided within the proposed planting scheme. Trees to be minimum 18-20cmg at planting.
7. The Applicant is requested to submit an Architectural Impact Assessment carried out by a suitably qualified professional and a detailed justification for the proposed development including consideration of whether or not the existing dwelling could be adapted and re-purposed for the proposed development and whether the existing boundary wall could be fully or partially retained to lessen the impact on the streetscape.

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8. The Planning Authority would raise concern that the proposed development, if consented, would result in the land to the rear of the site becoming landlocked and therefore be unable to be developed in the future. The applicant is required to clarify the ownership of this site and demonstrate how the site could be developed in the future.

Additional Information

Additional Information was requested on 22nd November 2022.

Additional Information was received on 17th February 2023.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

Submissions/Observations

No submissions / observations received.

Assessment

The following Additional Information was received from the Applicant on 17th February 2023:

- Letter of Response prepared by GAP Architects dated 17th February 2023.
- Drawing No. AI.01-01 – Proposed Site Plan prepared by GAP Architects.
- Drawing No. AI.01-02 – Vertical Sky Component Assessment prepared by GAP Architects.
- Drawing No. AI.01-03 – Proposed Roof Plan/Drainage Layouts & Rear Elevation prepared by GAP Architects.
- Urban Design Analysis Report – St. Claires Villa, Lucan Road prepared by GAP Architects.
- Additional Information Drainage Report prepared by ONCE Consulting Engineers.
- Drawing No. 5845/01 Rev B – Drainage Layout prepared by ONCE Consulting Engineers.
- Drawing No. 5845/02 Rev A – Typical Drainage Details and Auto Track prepared by ONCE Consulting Engineers.
- Irish Water Confirmation of Feasibility Letter dated 30th November 2022.
- Letter of Response dated 16th February 2023 prepared by Landscape Design Services.
- Drawing No. 22_229_PDFI-01 – Landscape Plan – Ground Level prepared by Landscape Design Services.
- Drawing No. 22_229_PDFI-02 – Landscape Plan – Roof Level prepared by Landscape Design Services.
- Drawing No. 22_229_PDFI-03 – Green Infrastructure Plan (context map) prepared by Landscape Design Services.

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- Drawing No. 22_229_PDFI-04 – Green Infrastructure Plan (Protection,) prepared by Landscape Design Services.
- Drawing No. 22_229_PDFI-05 – Green-roofed Cycle Shelter & Bin Store prepared by Landscape Design Services.
- Construction and Demolition Waste Management Plan prepared by Mr. Martin Egan.

The Additional Information provided by the Applicant will be assessed below in the context of the 8 No. items of Additional Information requested by the Planning Authority on 22nd November 2022.

Additional Information Item No. 1

An assessment of the Applicant's Response to each part of Additional Information Item No. 1 is outlined below:

- (i) The Proposed Site Layout Plan has been revised to reduce the level of car parking, providing 1 No. accessible space. The Roads Department have assessed the Applicant's submission, with their Report indicating no objections, subject to **CONDITIONS**.
- (ii) The revised Proposed Site Layout Plan allows for the retention of the majority of the low stone wall to the front boundary. This is welcomed by the Planning Authority.
- (iii) A green roof has been included to the majority of the proposed building and the proposed fenestration has been orientated to maximise solar gain. Both the Drainage and Water Services Department and Parks and Public Realm Department have assessed the Applicant's Submission, with their Reports indicating no objection, subject to **CONDITIONS**.
- (iv) The Applicant has provided sufficient rationale for the site selection and justification for the demolition of the existing dwelling. The Architectural Conservation Officer has indicated no objection, subject to **CONDITIONS**.
- (v) The Applicant has provided an Urban Design Analysis Report.
- (vi) Sufficient storage space has been provided within the proposed apartment.

Having regard to the above, it is considered that the Applicant has satisfactorily addressed Additional Information Item No. 1.

Additional Information Item No. 2

In response to Additional Information Item No. 2 the Applicant has provided a Vertical Sky Component Assessment of the proposed development. It is noted that a Shadow Assessment was provided with the original Application documentation.

The Vertical Sky Component Assessment provided by the Applicant details the existing and proposed relationship between the subject site and the adjacent Funeral Home to the north. While

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the response is noted, as the building is in commercial use and therefore an assessment of the loss of daylight on the windows of the adjoining property is not required.

It is noted and accepted that no assessment has been provided of the existing apartment development adjacent to the southern boundary of the subject site, as there are no windows to its northern elevation and there is dense tree cover between the proposed building and the adjacent existing apartment building. The existing trees lie within the adjacent apartment building lands.

It is therefore considered that Additional Information Item No. 2 has been successfully addressed.

Additional Information Item No. 3

In response to Additional Information Item No. 3 the Applicant has provided a Construction and Demolition Waste Management Plan prepared by Mr Martin Egan and Drawing No. 5845/02 Rev A – Typical Drainage Details and Auto Track prepared by ONCE Consulting Engineers.

The Roads Department have assessed the Applicant's Additional Information Response, with their Report concluding that Additional Information Item No. 3 has been successfully addressed and noting no objection to the proposed development, subject to **CONDITIONS**.

Additional Information Item No. 4

In response to Additional Information Item No. 4 the Applicant has provided a Confirmation of Feasibility Letter from Irish Water dated 30th November 2022.

It is therefore considered that Additional Information Item No. 4 has been successfully addressed.

Additional Information Item No. 5

Once Consulting Engineers and Landscape Design Services have provided detailed information on the Sustainable Drainage Systems measures included in the proposed development.

The Drainage and Water Services Department and Parks and Public Realm Department have assessed the Applicant's submission, with their respective Reports no objections to the proposed development, subject to **CONDITIONS**. It is therefore considered that Additional Information Item No. 5 has been satisfactorily addressed.

Additional Information Item No. 6

In response to Additional Information Item No. 6 the Applicant has provided a comprehensive Landscape package prepared by Landscape Design Services, which includes a Landscape Plan and Green Infrastructure Plan. In addition, ONCE Consulting Engineers have provided a

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Drainage Layout Plan which indicates the adoption of Sustainable Drainage Systems (SuDS) measures within the proposed development.

The Parks and Public Realm Department have assessed the Applicant's Additional Information Submission and have indicated no objection to the proposed development. The Applicant has therefore satisfactorily addressed Additional Information Item No. 6.

Additional Information Item No. 7

The Applicant has outlined the Preliminary Feasibility Study undertaken in relation to the existing dwelling on the subject site, to establish whether or not the building could be incorporated into the subject scheme.

The Architectural Conservation Officer has assessed the Applicant's submission:

'Additional information has been submitted which includes a response by way of a statement. It is detailed in the statement that the existing house was initially looked at in relation to its reuse as a new physiotherapy practice. Justification for the proposed demolition of existing structure has been given based on the view that it cannot be adaptively reused given the overall requirement for the proposed physiotherapy practice. It is stated that the reuse is not a viable option given the requirements for this use and therefore the construction of a new purpose built 3-storey mixed use building is proposed. Clarification has now been provided in relation to the retention of the existing wall which will be kept in most parts, which is welcomed. No information has been provided with regard to the existing house and in particular how the demolition will be dealt with in line with Climate Change Actions'.

The Report of the Architectural Conservation Office ultimately concludes with no objection to the proposed development, subject to **CONDITIONS**. Additional Information Item No. 7 has been satisfactorily addressed.

Additional Information Item No. 8

In response to Additional Information Item No. 8 the Applicant has states that:

'We can confirm that the lands to the rear of the site is not in the ownership of our Clients. It is our understanding that this land is in the ownership of Cunningham's Funeral Home. Therefore, the Planning Authority can be assured that the site will not become landlocked as access will continue to be available through the site of the funeral home and the status in quo will be maintained'.

Having regard to the above outlined response of the Applicant, it is considered that Additional Information Item No. 8 has been satisfactorily addressed.

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Other Considerations

Development Contributions

Development Contributions – Residential	
Planning Reference Number	SD22A/0372
Summary of permission granted & relevant notes:	Demolition of existing two storey detached dwelling house and outbuildings; Construct new purpose built three storey mixed used building with a new physiotherapy practice and One bedroom apartment with own door access and dedicated private balcony area at the second floor level.
Are any exemptions applicable?	No
If yes, please specify:	n/a
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)	75.5
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	75.5
Total development contribution due	€8,992.05

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Development Contributions - Commercial	
Planning Reference Number	SD22A/0372
Summary of permission granted & relevant notes:	Demolition of existing two storey detached dwelling house and outbuildings; Construct new purpose built three storey mixed used building with a new physiotherapy practice and One bedroom apartment with own door access and dedicated private balcony area at the second floor level.
Are any exemptions applicable?	No
If yes, please specify:	n/a
Is development commercial or residential?	Commercial
Standard rate applicable to development:	112.57
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€112.57
Area of Development (m2)	304.0
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	304
Total development contribution due	€34,221.28

Total Development Contributions: €43,213.33

SEA Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq m)
Residential – One bedroom apartment	75.5 sqm
Commercial – Physiotherapy Practice	304 sqm
Total:	379.5 sqm
Land Type	Site Area (Ha)
Brownfield / Urban Consolidation	0.0357 Ha

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Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2022-2028 and the Additional Information provided by the Applicant, it is considered that, subject to conditions, the proposed development generally adheres to the key policies, objectives and guidance and would not be contrary to 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 17th February 2023, 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. The rehab gym and studio area shall operate as ancillary to the Physiotherapy Clinic only and shall not be available for public membership or operated independently for commercial purposes without the prior written agreement of the Planning Authority.
REASON: In the interests of the proper planning and sustainable development of the area.
3. Prior to the commencement of development, the Applicant shall submit the following for the written agreement of the Planning Authority:
 - (i) The existing front boundary wall including the existing boundary wall is to be retained in line with the additional information submission received on 17th February 2023.
Details should be submitted with regard to any repairs to the boundary wall and how this will be made good using traditional buildings and materials.

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(ii) A Schedule of materials and finishes along with samples and images of the final palette of materials and finishes. This should be submitted prior to commencing development by way of confirming final material finishes and colours. This should include full details on materials and finishes for all elements of the proposed development. REASON: To ensure the proposed development is of high quality and reflects the overall design ethos detailed in the Additional Information submission, the retention of original boundary features which add to the streetscape character of the area and to ensure Climate Change policies and actions are adhered to with regard to demolition and waste management..

4. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

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

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

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. (i) The boundary walls at both 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.

(ii) The existing vehicular access point shall be limited to a width of maximum 3.5m wide for the proposed development.

(iii) 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.

(iv) Any gates shall open inwards and not out over the public domain.

(v) 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.

REASON: In the interests of pedestrian and traffic safety.

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7. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

8. Signage.

No advertising sign(s) or structure(s) (including any signs installed to be visible through windows), banners, canopies, flags, or other projecting elements shall be erected except those, which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanála on appeal.

REASON: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.

9. Hours of Operation.

Unless otherwise agreed in writing, the Physiotherapy Clinic shall be open to members of the public only between the hours of 08:00 to 20:00 Monday to Friday, 09:00 - 13:00 Saturday and closed on Sundays.

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

10. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

11. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

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Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

12. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €43, 213.33 (Forty Three Thousand, Two Hundred and Thirteen Euro and Thirty Three Cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended). The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water

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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.

13. House Number.

Unless otherwise agreed in writing, the number of the apartment shall be Apartment 1, Saint Claires Villa, Lucan Road, Lucan, Co. Dublin and this number shall be placed on the completed development prior to its occupation in a manner so as to be clearly legible from the public road.

In the event that this number already exists no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

- (a) a street name and dwelling/unit number plan to resolve any possible conflict and,
- (b) this has been acknowledged as acceptable in writing by the Planning Authority.

Following receipt of an acknowledgement of acceptability, the agreed number / name shall be placed on the completed house prior to occupation in a manner so as to be clearly legible from the public road.

The applicant is advised that the development number or name should

- (i) avoid any duplication within the county;
- (ii) reflect the local and historical context of the approved development;
- (iii) comply with Development Plan policy, the guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government,
- (iv) have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and;
- (v) preferably make exclusive use of the Irish language.

The applicant, owner or developer is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required plan.

REASON: In the interests of the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: The applicant or developer should ensure that all necessary measures shall be

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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.

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: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

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: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

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/0372

LOCATION: Saint Claires Villa, Lucan Road, Lucan, Co. Dublin, K78 X0N1


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: 16/03/23


Gormla O'Corrain,
Senior Planner