

Comhairle Chontae Atha Cliath Theas

PR/0506/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0448 **Application Date:** 30-Nov-2022
Submission Type: Additional **Registration Date:** 20-Apr-2023
Information

Correspondence Name and Address: Paul Redmond 50, River Forest View, Leixlip, Co. Kildare, W23 KP52.

Proposed Development: Construction of a new two storey attached two bedroom house to the side of the existing house with all associated site and drainage works and for single storey porch extension to front of existing house with revised front driveway to facilitate off street parking for both new and existing houses.

Location: 15, Sundale Road, Tallaght, Dublin 24 D24 C6Y1

Applicant Name: Alan Fitzpatrick

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.02051 hectares.

Site Description:

The site currently contains a two-storey, semi-detached dwelling with a large side garden, on a crescent of similar dwellings on Sundale Road. The western boundary of the site adjoins the rear garden of similar dwellings on Sundale Avenue. The front garden currently consists of a concrete driveway, with grass and mature vegetation providing mature landscape elements.

Site Visited: 16/01/2023.

Proposal:

Permission is sought for the following:

- **Construction of** a semi-detached, two-storey, **end of terrace dwelling** with 2 no. bedrooms (77 sq.m)
- Single storey extension to front of existing dwelling.
- Revised front driveways to facilitate off street parking for both dwellings.
- All associated site and drainage works.

Zoning:

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

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Consultations:

Roads	No objection, conditions recommended.
Public Realm	No objection, conditions recommended.
Water Services	Additional Information recommended.
Irish Water	No objection, conditions recommended.

SEA Sensitivity Screening

Indicates overlap with Flood Zone B.

Submissions/Observations /Representations

Submission expiry date – 12 January 2023

No submissions or observations received.

Relevant Planning History

SD08A/0537: New two storey dwelling, with new entrance and all ancillary site works to the side of 15 Sundale Road. **Permission refused** for the following reasons:

1. *The application site is triangular in shape with a deep narrow garden plot and the proposed L-shaped dwelling would project into the narrow southern section of the site to the rear leaving an unacceptable arrangement in terms of quantity and quality of private amenity space.*

The proposed would therefore represent overdevelopment of a narrow restricted site and would materially contravene the zoning objective of the application site, which sets out to 'protect and or improve Residential Amenity.'

2. *The footprint of the proposed 2 bedroom dwelling would retain 2 no. small segregated triangular garden areas with a combined area of circa 27 sq.m of private amenity space. Section 11.3 of the South Dublin County Council Development Plan (2004) sets out a minimum requirement of 55 sq.m of private amenity space for 2 bedroom dwellings. The proposed quantum of private open space would therefore provide for a serious shortfall in terms of the minimum required quantum and the restricted nature of the triangular spaces would provide a poor standard of amenity in terms of useability. The quality and quantity of proposed private amenity space would therefore be substandard in this regard.*

On this basis the proposed development would materially contravene the zoning objective of the application site, which sets out to 'protect and/or improve Residential Amenity' and would be at variance with Section 12.3.6 of the South Dublin County Council Development Plan, which requires houses in side gardens/corner sites to comply with minimum private open space standards.

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Such a development would set an undesirable precedent for other similar developments that would in themselves and cumulatively be harmful to the residential amenity of the surrounding area and would be contrary to proper planning and sustainable development.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

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.

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.

Chapter 5 Quality Design and Healthy Placemaking

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Chapter 6 Housing

Section 6.7.1 Residential Design and Layout

H7 Objective 2: To ensure that new residential developments incorporate energy efficiency measures and promote innovation in renewable energy opportunities.

Section 6.7.3 Private and Semi-Private Open Space

Policy H9: Private and Semi-Private Open Space

Ensure that all dwellings have access to high quality private open space and semi-private open space (where appropriate) and that such space is carefully integrated into the design of new residential developments.

Section 6.7.4 Internal Residential Accommodation

Policy H10: Internal Residential Accommodation

Ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

H10 Objective 1: To promote the provision of high-quality houses and apartments / duplexes within sustainable neighbourhoods by achieving the appropriate quantitative and qualitative standards, in accordance with Ministerial Guidelines and as set out in Chapter 12: Implementation and Monitoring.

H10 Objective 2: To support the design of adaptable residential unit layouts that can accommodate the changing needs of occupants, through extension or remodelling subject to the protection of residential amenity.

H10 Objective 3: To strongly encourage the provision of adequate space to allow for individuals to work from home in housing units, including apartments.

6.8 Residential Consolidation in Urban Areas

Section 6.8.1 Infill, Backland, Subdivision and Corner Sites

Policy H13: Residential Consolidation

Promote and support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H13 Objective 1: To promote and support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

H13 Objective 2: To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 12: Implementation and Monitoring.

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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.
H13 Objective 5: To ensure that new development in established areas does not unduly impact on the amenities or character of an area.

Section 8.7.3 Quantity of Public Open Space

Section 8.7.4 Delivery of Public Open Space and Contributions in Lieu

COS5 Objective 4

COS5 Objective 5

COS5 Objective 6

COS5 Objective 7

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

Section 12.6.7 Residential Standards

Table 3.20: Minimum Standards for Housing

<i>Type of Unit</i>	<i>House Size</i>	<i>Private Open Space</i>
<i>One bedroom</i>	<i>50 sq.m</i>	<i>48 sq.m</i>
<i>Two bedrooms</i>	<i>80 sq.m</i>	<i>55 sq.m</i>
<i>Three bedrooms</i>	<i>92 sq.m</i>	<i>60 sq.m</i>
<i>Four bedroom</i>	<i>110 sq.m</i>	<i>70 sq.m</i>

Section 12.6.8 Residential Consolidation

Corner / Side Garden Sites

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;*

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- *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.*

Section 12.6.10 Public Open Space

Section 12.7.4 Car parking Standards

Section 12.7.6 Car Parking Design and Layout

Relevant Government Policy & Guidelines

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

Regional Spatial and Economic Strategy, Eastern & Midlands Regional Assembly, 2019.

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).

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG, 2009.

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Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Residential and Visual Amenity
- Overcoming Previous Reasons for Refusal
- Sustainable Movement
- Green Infrastructure
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Policy

South Dublin County Development Plan 2022 - 2028

The site is subject to zoning objective 'RES' – *'To protect and/or improve residential amenity'*. Residential development is permitted in principle under this zoning objective, subject to assessment against the relevant policies, objectives and standards set out under the current Plan.

Residential and Visual Amenity

Front Extension and Alterations to Existing Dwelling

A front porch extension would be constructed projecting 0.96m from the front building line of the existing dwelling. The porch would have a pitched roof and would appear to be a smooth render plaster though this is not clear from drawings. A driveway of approximately 7m in length would be provided along the eastern boundary of the site, replacing an area previously grassed.

A new entrance to the existing dwelling is proposed and removal of a tree in the grass verge would be required for this.

To ensure retention of the tree in the grass verge the applicant should be requested to investigate the possibility of providing a shared access driveway to serve both dwellings. This should be addressed as **additional information**.

The site location plan indicates the entire site within the red line, allowing for development of the entire site however, a blue line boundary is provided around the lands associated with the new dwelling. If the site is owned entirely by one owner, then no blue line is required. The proof of ownership indicates that this is the case. A revised site location plan should be provided that clarifies all interests in the land. Excluding a blue line if there are no other interested parties. This can be done as **additional information**.

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House

A two-storey, pitched roof, semi-detached end of terrace dwelling would be constructed along the western side elevation of the existing house. The access to the new dwelling would be on the side (west) elevation, with fenestration and materials matching the existing dwelling. To the rear, the dwelling would project approximately 1m from the prevailing rear building line at both ground and first floor level, along the site boundary to the east. The House Extension Design Guide recommend 1m separation distance is provided for every 3m of height, to minimise the overbearing impact of two-storey extensions. A single storey projection to the rear along the site boundary might be considered acceptable however, a two-storey projection would be considered detrimental to the amenity of the existing dwelling and would therefore not be acceptable.

The applicant should consider locating the building forward of the front building line by a similar depth to the proposed porch of the adjoining dwelling to achieve the internal standards required, particularly at first floor level. While there is a uniform building line, as this would be an end dwelling, the break in uniformity is considered appropriate if well designed. This can be done as **additional information**.

Internal Accommodation

Table 1 provides an analysis of the proposed dwelling and its compliance with the standards as specified in Table 3.20 of the Development Plan 2022 – 2028, and the Quality Housing for Sustainable Communities Guidelines.

Table 1 Comparison of Standards for 2-bedroom, two-storey dwelling requirements

	Development Plan Standards	Quality Housing Guidelines 2 bed 3 per	Quality Housing Guidelines 2 bed 4 per	Proposal
Gross Floor Area	80	70	80	77
Main Living Room	-	13	13	15.6*
Aggregate Living Area	-	28	30	28.6*
Aggregate Bedroom Area	-	20	25	24.4*
Storage	-	3	4	2.5*
Private Open Space	60	-	-	Not stated

* measured from drawings

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The house would provide 2 bedrooms measuring approximately 11.5 sq.m and 12.9 sq.m. The Guidelines state a double bedroom should be a minimum of 11.4 sq.m and on this basis the dwelling is considered to be a 2 bedroom, 4 person dwelling. The Guidelines require the main bedroom to be a minimum of 13 sq.m for dwellings of over 3 people. While the master bedroom is stated as being 11.5 sq.m, there is a bedroom provided that is just below 13 sq.m and it would be personal preference which is used as the main bedroom. The aggregate bedroom area would be slightly below the aggregate recommended in the Guidelines however, the individual bedroom sizes are considered acceptable and the aggregate shortfall of 0.6 sq.m is not considered significant given the infill nature of the development.

The Guidelines state a minimum unobstructed living room width of 3.6m would be required for the living room serving a two bedroom dwelling. The main floor area of the living room would be 3.12m x 3.64m and this is considered acceptable. The aggregate living area, including the open plan kitchen/diner to the rear, would be slightly below the Guidelines recommendation, providing an aggregate area of 28.6 sq.m, a shortfall of 1.4 sq.m. This shortfall is not considered significant and would therefore be acceptable.

A single storage area of approximately 2.5 sq.m would be provided on the ground floor, a shortfall of 1.5 sq.m. It is noted that a 3.15 sq.m walk in wardrobe is indicated to serve the master bedroom. While this cannot be counted towards the aggregate storage area, it is considered this would assist in providing some storage potential in addition to the 2.5 sq.m below and would mitigate the shortfall of storage provided.

Private Open Space

The Development Plan requires private open space of 55 sq.m to be provided for 2 bedroom dwellings. The applicant states that the proposed dwelling would have 63.12 sq.m rear amenity and the existing dwelling would retain 82.02 sq.m.

The poor provision of private open space comprised the reasons for refusal of the previous application (SD08A/0537) and therefore form a critical part of the current assessment.

It is noted that the site currently has a triangular shaped garden, reaching a minimum width of approximately 3.6m at the southern tip, as stated on drawings. This pinch point would be divided between the two dwellings and there would be a concern about how useable this space would be and of what benefit it would have to meeting private amenity standards. While the minimum requirement of the Development Plan would be 55 sq.m for the proposed dwelling, and 60 sq.m for the existing dwelling (based on 3 bedrooms), the space must also provide useable space. Simply providing the space is not acceptable if its amenity value is low.

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The applicant should be requested to provide **additional information**, clearly showing width measurements for the rear gardens at different points, from north to south, with indicative landscaping to demonstrate how these spaces could be utilised.

It is noted that, from Google earth, there appears to be a large rear structure at the southern point of the garden. An existing site layout plan has not been provided, and this structure is not referenced in the application pack. This should be clarified as **additional information**.

Section 8.7.3 of the 2022 – 2028 Development Plan requires the provision of public open space as part of all new developments comprising a residential element, save for certain exception circumstances. The current proposal seeks to deliver 1 no. house, on a site of 0.0429 ha. The provision of public open space at this location would not be viable and, in this instance, it is not considered appropriate or necessary to require a contribution in lieu.

External Appearance

The proposed materials reflect the character of the area, with the properties materials to match those of the existing dwelling to which it would be attached. Fenestration would also be consistent with the existing dwelling. This is considered acceptable.

It is noted that on the western elevation a window is shown at attic level, and rooflights are indicated on the rear roof slope. No floor plans have been provided for attic level and should be requested as **additional information**.

Impact on Neighbouring Dwellings

It is considered that the proposed development could have an impact on nos. 12, 10 and 8 Sundale Avenue, located to the west of the application site. The rear gardens of these dwellings abut the application site and depths of these gardens appears to be approximately 12m. The proposed dwelling would be stepped along the sloping site boundary, within about 1 – 2m of the boundary, and approximately 14m from the rear building line of the western dwellings. The Planning Authority would have a concern about the potential overbearing impact of the dwelling on these houses, though it is not considered there would be significant impacts on overshadowing or loss of privacy given the orientation of the dwellings and the minimal fenestration on the western elevation.

The applicant should be requested to provide **additional information** clearly marking all distances to the site boundary, with a site layout plan showing greater detail of the wider area, including the relevant dwellings to the west, and associated separation distances.

In considering the potential overbearing impact on adjoining properties, and with a view to maximising rear amenity space, the applicant should consider bringing forward the proposed dwelling to the front building line of the proposed porch on the existing dwelling.

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Overcoming Previous Reasons for Refusal

The previous application for a dwelling at the site, SD08A/0537, was refused on the basis the private amenity space provided was below standard, providing a constrained area that was below the Development Plan requirements. The current application states approximately 63 sq.m private amenity space would be provided to serve the new dwelling however, the garden area would still taper to a very narrow point and the Planning Authority would have concerns about the useability and subsequent amenity value of this area. The applicant should be requested to submit **additional information** to address the concerns, as stated above.

Sustainable Movement

The Roads Department have reviewed the application and stated no objection to the development, recommending the following **conditions**:

- 1. The vehicular access points shall be limited to a width of 3.5 meters for both existing and proposed dwelling.*
- 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. The boundary walls and gates 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.*
- 4. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*
- 5. It is noted that there is a drainage cover in the vicinity of the proposed access, the applicant shall make any necessary arrangement with the correct utility provider if the proposed works are going to impact on these assets.*
- 6. The applicant shall submit details of discussions with Public Realm in resolving Tree conflict with access point.*

These **conditions** should be included in the event of a grant to ensure traffic safety is maintained. Item 4 could not be enforced and therefore should not be included. It is considered that Items 5 and 6 can be addressed through the submission of **additional information** providing a shared access arrangement utilising the existing entrance rather than creating a new access point.

Green Infrastructure

The application site appears to be located within the Tallaght-Dublin Mountains Secondary GI Link, as per Figure 4.4 of the County Development Plan.

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There is an existing small patch of grass to the front of the site, the remainder of which is concrete. The rear garden appears to be mostly grassed with minimal other vegetation. There also appears to be a large structure at the southern point of the garden however, this is not included on any plans. The proposal would practically double the level of hardstanding at the site. Outside of the site boundary there is grass verge with a mature street tree that would be impacted by the proposed access arrangements. This has been addressed above and **additional information** is recommended in relation to this item.

The Public Realm section have reviewed the application and have stated no objection to the development, recommending the following **conditions** in the event of a grant:

1. *Landscape and GI Plan*

(i) *There are concerns with the lack of information submitted in terms of a landscaping scheme and boundary treatment for the proposed development. The applicant is requested to provide a landscape design including details of boundary treatment for the proposed development.*

(ii) *In addition, the applicant is required to provide a GI Plan – in the case of small-scale developments this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which may allow the site to act as a local stepping stone*

REASON: In the interests of visual amenity and to ensure that new development meets minimum standards for the provision of GI, in accordance with policy GI5 Objective 4 and other relevant policies of the CDP 2022-2028.

2. *Boundary treatments*

Prior to commencement a scheme for the siting and design of all boundary treatments shall be submitted for the approval of the local planning authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) are occupied.

REASON: In order to ensure high quality landscaping for the boundaries of the site in the interests of visual amenity and to safeguard the residential amenity of neighbouring occupiers, in accordance with relevant policies and objectives contained within the current County Development Plan.

3. *Sustainable Drainage System (SuDS)*

No development shall take place until details of the implementation; maintenance and management of the sustainable drainage scheme have been submitted to and approved by the Planning Authority.

The applicant shall submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample

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SuDs devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others.

The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with relevant policies and objectives contained within the current County Development Plan.

Given the application sites location within a Secondary GI Link, it is considered appropriate to have greater consideration towards the protection and provision of green infrastructure as part of the development. In this regard, the above **conditions** are considered appropriate to include in the event of a grant of permission.

Water Services have reviewed the application and have recommended the following **additional information** is sought:

- 1.1 The applicant is required to submit drawings of the existing and proposed Surface Water Layout for the site.*
- 1.2 The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. Submit a design report and drawings in plan and cross-sectional view showing how surface water runoff is managed from the site.*
- 1.3 The applicant shall include SuDS features for the proposed development such as but not limited to the following:*
 - *Permeable pavement*
 - *Raingarden planters with overflow connection to a public surface water sewer*
 - *Swales and rill channels*
 - *Grasscrete*
 - *sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf*

To ensure adequate consideration of surface water drainage, and the provision of SuDS to mitigate the increase in hardstanding at the site, it is considered appropriate to request the recommended **additional information**. Water Services have stated no objection to the development in relation to flood risk however it is noted that the site is potentially located within Flood Zone B, per the Development Plan. The applicant should be requested to state how flood risk has been considered in the design of the proposed dwelling, stating any mitigation measures if required. This can be addressed as **additional information**.

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Water Supply and Wastewater

Irish Water have reviewed the application and, in relation to water supply, have stated no objection, recommending a standard **condition** requiring water and foul water connection agreements prior to the commencement of development. This is considered appropriate.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located on Sundale Road in an established residential area. The development comprises construction of a semi-detached, end of terrace dwelling and associated site works.

Having regard to:

- the small residential scale of the development,
- the location of the development in an established urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Environmental Impact Assessment

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.

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 and the responses received from consultees to the application, it is considered that **additional information** is required as follows:

- Revised plans showing a shared vehicular access.
- Revised plans in relation to the site location plan
- Amendments to minimise the potential overbearing impact of the proposed dwelling on adjoining and neighbouring dwellings
- Revised details in relation to rear amenity space to serve the proposed dwelling
- Attic level floor plans
- Surface water layouts and attenuation plans.

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Recommendation

Request Further Information.

Further Information

Further Information was requested on 30/01/23

Further Information was received on 20/04/23

Consultations

Roads: No objection, **conditions** recommended

Water Services: Clarification of additional information recommended

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *Shared Vehicular Access*

There are concerns regarding the loss of grass verge and a mature tree located outside the site boundary should plans to create two separate accesses be progressed. To ensure retention of the tree in the grass verge, the applicant is requested to investigate the possibility of utilising the existing vehicular access to provide a shared access. Revised plans should be submitted, showing the location of any existing mature trees proximate to the access, and any drainage infrastructure nearby. Boundary elevations should also be provided.

2. *Site Location Plan*

A revised site location plan is required clarifying the red and blue line interests in the site. If the site is owned by a single person/entity, a blue line is not required on this plan.

3. *Potential Overbearing Impact*

The Planning Authority has a concern about the potential overbearing impact of the development on adjoining and nearby dwellings. The applicant is requested to consider the possibility of locating the new dwelling forward of the prevailing front building line, in line with the proposed porch of the adjacent dwelling, to minimise the two-storey rear projection. In bringing forward the building it is also considered that the overbearing impact on dwellings to the west could be minimised. A minimum 6m front driveway is required to provide parking. The applicant is invited to consider other alternative, suitable interventions, to minimise the impact of the proposed dwelling on the surrounding area.

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4. Private Amenity Space

It is acknowledged that the applicant is providing an increase in rear amenity space when compared to the previous application at the site, SD08A/0537. While it is stated that approximately 63 sq.m rear amenity space would serve the proposed dwelling, there are concerns about the functionality and amenity value of this space, given the tapering of the site to a minimum width of approximately 1.5m to the south of the site. It is also unclear from the information provided the built status of the southern portion of the lands, with aerial imagery showing a large rear garden structure at this point. The applicant is therefore requested to submit the following:

- a. A proposed site layout plan, including the dwellings to the west:
 - i. clearly showing width measurements for the rear gardens at different points, from north to south, with indicative landscaping to demonstrate how these spaces could be utilised*
 - ii. clearly providing distances to the site boundary at all points of the proposed dwelling, and the distance to the rear building line of the dwellings to the west.**
- b. An existing site layout plan showing all structures on the site and indicating their proposed status, either to be retained after the works have been completed or to be demolished.*

5. Attic Plans

Elevations indicate a window on the wester elevation and rear roofslope to serve the attic level. No floorplans or access details have been provided for this area and should be provided.

6. Surface Water

The applicant has not proposed any SuDS features for the proposed development, and it is not clear what the existing surface water layout is for the site. The applicant is requested to provide the following in relation to surface water, attenuation and SuDS:

- a) Drawings of the existing and proposed Surface Water Layout for the site.*
- b) A design report and drawings in plan and cross-sectional view showing how surface water runoff is managed from the site.*
- c) The applicant shall include SuDS features for the proposed development such as but not limited to the following: Permeable pavement, Raingarden planters with overflow connection to a public surface water sewer, Swales and rill channels, Grasscrete. In proposed additional SuDS at the site, the applicant should have reference to the South Dublin County Council Sustainable Drainage Explanatory Design and Evaluation Guide.*

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Assessment

Item 1 – Shared Vehicular Access

The applicant has amended the site layout plan to provide for a shared access driveway. The Roads Department have reviewed the submission and noted that the entrance provided appears to be 6m, which would be excessive and contrary to the guidance of the Development Plan. The Roads Department report recommends the following **conditions** in the event of a grant of permission:

- 1. The vehicular access point shall be limited to a width of 3.5.*
- 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. The boundary walls and gates 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.*
- 4. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*
- 5. It is noted that there is a drainage cover in the vicinity of the proposed access, the applicant shall make any necessary arrangement with the correct utility provider if the proposed works are going to impact on these assets.*

These **conditions** are considered appropriate and revised drawings should be submitted to demonstrate compliance. It would not be possible to enforce condition 4 and therefore this should not be included.

Item 2 – Site Location Plan

The applicant has not included a blue line boundary on the revised drawings submitted. This is acceptable.

Item 3 – Potential Overbearing Impact

The applicant has amended the scheme, bringing the front elevation of the dwelling forward and thereby removing the need for the two-storey projecting element at the rear.

The side and rear elevations don't appear to be entirely reflective of the floor plans. There is no need for the projecting pitched roof profile at the rear, and it appears that there would be overhang onto the adjoining property. The rear elevation should be a continuation of the rear elevation of the existing dwelling. Revised elevations are required to demonstrate this. In addition, the same issue occurs at the front where the pitched roof porch does not appear to take into account the stepped forward nature of the proposed dwelling. The porch should have either a hipped or flat roof to improve the appearance of the dwelling, and better integrate with the new dwelling. This can be addressed by **condition**.

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Item 4 – Private Amenity Space

The applicant states on drawings that 60.07 sq.m private amenity space would be provided to the rear. This appears to include incidental areas of private space to the side of the dwelling, but excludes a large, existing, rear shed that would remain on the site. Measured from drawings, it appears that there would be approximately 50 sq.m functional amenity space to the rear of the property.

The Development Plan requires a minimum of 55 sq.m private open space for two-bedroom houses. The Development Plan also states the following of relevance under Section 12.6.8 'Residential Consolidation':

- *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.*

It is considered that the applicant is providing under the minimum required private open space by 5 sq.m, approximately 10% deficit. As all other standards are met by the development, and it is on a constrained infill site, provision of private amenity slightly below the Development Plan requirement is considered acceptable in this instance as the deficit is not significant. It is noted that in future, were the shed to be removed, significantly more rear amenity space would be available for the dwelling.

A **condition** should be included removing exempted development rights to ensure no further encroachment into the private amenity space is undertaken without planning permission.

Item 5 – Attic Plans

The applicant has not provided an attic floor plan stating that this area will only be accessible via pull down stair to provide storage and will not be habitable. This is accepted. The applicant should note that any future conversion of this space may require planning permission.

It is noted that there are discrepancies between the elevations and sections submitted in relation to the attic level window on the side elevation. For the avoidance of doubt, a **condition** should be included omitting this window.

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Item 6 – Surface Water

Water Services have reviewed the application and have recommended **clarification of additional information** is sought as follows:

- 1.1 Submit a report and drawings in plan and cross-sectional view showing how surface water runoff is managed from the site. This report should include a rainwater storage capacity of proposed SuDS such as planter boxes.*
- 1.2 The applicant shall include additional SuDS for the proposed development such as but not limited to the following:*
 - *Permeable pavement (for example driveways and rear patios)*
 - *Raingarden planters with overflow connection to a public surface water sewer*
 - *Swales and rill channels*
 - *Grasscrete*
- 1.3 Submit a report and drawing in plan and cross-sectional view for all additional SuDS. Provide rainwater storage capacity in m³ for all additionally proposed SuDS.*
- 1.4 Proposed planter boxes require an overflow connection to a public surface water sewer. Submit drawing in plan and cross-sectional view showing overflow connection up to the point of connection to a public surface water network.*

Given the scale of the development proposed, and the nature of the site, it is considered conditions 1.1 and 1.3 are onerous and are not required. A **condition** should be included requiring the driveway to be constructed from permeable paving to improve surface water drainage, and a **condition** should also be included requiring the overflow connection from the proposed planter boxes to be shown on drawings.

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.

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Other Considerations

Development Contributions

New House

Are any exemptions applicable?	No
Is development commercial or residential?	Residential
Standard rate applicable to development:	119.10
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€119.10
Area of Development (m²)	77.00
Amount of Floor area, if any, exempt (m²)	0
Total area to which development contribution applies (m²)	77.00
Total development contribution due	€9,170.70

Porch Extension

The porch would be 4 sq.m. The dwelling has not previously been extended. No contributions are due in relation to the extension.

SEA Monitoring Information

Building Use Type Proposed:	Residential
Floor Area:	77 sq.m
Land Type:	Urban Consolidation
Site Area:	0.02051 Hectares.

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.

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.

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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 20/04/2023, 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. 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 rear elevation of the proposed dwelling shall be consistent with the existing dwelling. The pitched roof feature on the rear elevation shall be omitted so as to avoid encroachment onto the neighbouring property.
 - (b) No window is permitted on the side elevation at attic level.
 - (c) The first floor window on the side elevation serving the staircase/landing shall be obscure glazing and shall be maintained as such in perpetuity.REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3.
 - (a) External Finishes.
All external finishes shall harmonise in colour or texture that is complementary to the house or its context.
REASON: In the interest of visual amenity.
 - (b) Restriction on Use.
The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.
REASON: To prevent unauthorised development.

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(c) Drainage - Irish Water.

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

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with 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.

(d) 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.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, 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 only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

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).

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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.

4. Permission Required for Class 1 & 3 Exemptions.

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

5. Boundary treatments

Prior to commencement a scheme for the siting and design of front boundary treatments shall be submitted for the approval of the local planning authority indicating the positions, design, height, materials and type of boundary treatment to be erected. The boundary walls and gates 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. The boundary treatment shall be completed before the building is occupied.

REASON: In order to ensure high quality landscaping for the boundaries of the site in the interests of visual amenity and to safeguard the residential amenity of neighbouring occupiers, in accordance with relevant policies and objectives contained within the current County Development Plan.

6. Vehicular Access

A. Prior to the commencement of development, the applicant shall submit a revised site layout plan showing a vehicular access point limited to a width of 3.5m. Any extension to the width of the access shall occur away from the existing street tree.

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B. The driveway shall be permeable paving to increase the surface water drainage capabilities of the site.

C. 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.

D. Any gates shall open inwards and shall not impinge on the public footpath.

E. It is noted that there is a drainage cover in the vicinity of the proposed access, the applicant shall make any necessary arrangement with the correct utility provider if the proposed works are going to impact on these assets.

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

7. Sustainable Urban Drainage Systems (SuDS)

A. The applicant shall include additional SuDS for the proposed development such as but not limited to the following:

- Permeable pavement (for example driveways and rear patios)
- Raingarden planters with overflow connection to a public surface water sewer
- Swales and rill channels
- Grasscrete

B. Prior to the commencement of development, the applicant shall submit drawing in plan and cross-sectional view showing overflow connection up to the point of connection to a public surface water network for the planter boxes.

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

8. 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.

9. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €9,170.70 (Nine Thousand, One Hundred and Seventy Euros and Seventy 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 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

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

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.

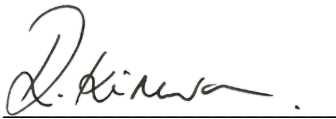
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REG. REF. SD22A/0448

LOCATION: 15, Sundale Road, Tallaght, Dublin 24 D24 C6Y1



**Deirdre Kirwan,
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: 11/05/23



**Gormla O'Corrain,
Senior Planner**