

Comhairle Chontae Atha Cliath Theas

PR/0659/23

Record of Executive Business and Chief Executive's Order

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| Reg. Reference: | SD22B/0486 | Application Date: | 07-Nov-2022 |
| Submission Type: | Clarification of Additional Information | Registration Date: | 17-May-2023 |
| Correspondence Name and Address: | PDC Architectural 12A, Churchfields, Kentstown, Co. Meath. | | |
| Proposed Development: | Ground floor extension to rear (to create family ancillary accommodation) with internal modifications and associated site works. | | |
| Location: | Castle Cottage, Lucan Road, Dublin 20 | | |
| Applicant Name: | Mark Lynch | | |
| Application Type: | Permission | | |

Description of Site and Surroundings:

Site Description:

The subject site is located on the northern edge of the Lucan Road and is comprised of a single storey cottage with a front garden, in-curtilage car parking and a rear garden. The existing single storey dwelling is comprised of a sitting room, kitchen/living and dining room and 3 No. bedrooms.

The subject site is bound to the north, east and west by existing dwellings and to the south by the Lucan Road. The wider surrounding context includes Palmerstown House Pub to the east, Stewarts School, and Sports Centre to the northeast and Waterstown Park approximately 225m to the north. The surrounding streetscape is generally characterised by dwellings of varying architectural typologies and form.

Site Area:

Stated as 0.00364 Ha.

Proposal:

Permission is sought for the following:

- A single storey extension to the rear of the existing dwelling (to provide family accommodation) which projects approximately 11.5m out from the rear elevation and spans an approximate width of 4m and with a flat roof profile with an approximate height of 3.35m. The single storey rear extension is comprised of a kitchen/living/dining room, a bathroom, home office and a double bedroom with an approximate gross floor area of 50 sq. m.
- All ancillary works above and below ground.

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Zoning

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

Overlap is also indicated with the following relevant Development Plan Map layers:

- Bird hazards.
- Take off climb surfaces – Casement Aerodrome.
- Approach surfaces – Casement Aerodrome.
- Outer horizontal surface – Dublin Airport.
- Outer horizontal surface – Casement Aerodrome.

Consultations:

Drainage and Water Services Department: No report received at time of writing.
Irish Water: No report received at time of writing.
Roads Department: Additional Information required.

Screening for Strategic Environmental Assessment

No overlap indicated with relevant environmental layers.

Submissions/Observations /Representations

Final date for submissions/observations – 12th December 2022.

None received.

Relevant Planning History

Subject Site

S00A/0827

Permission sought for 2 No. detached dormer bungalows and 2 no. detached garages at rear.

SDCC Decision: Grant Permission, subject to conditions.

S00A/0330

Outline Permission sought for Two detached dormer type dwelling at rear.

SDCC Decision: Grant Outline Permission, subject to conditions.

S00A/0040

Outline Permission sought for Two detached dormer type dwelling at rear.

SDCC Decision: Grant Outline Permission, subject to conditions.

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Adjacent Sites

SD18A/0158 – Greygables Cottage, No. 1 Lucan Old Road, Dublin 20.

Permission sought for demolition of existing garden structure; new dwelling to the side of the existing dwelling with dormer and single storey elements including dormer rooflights to the front roofslope and 'Velux' rooflights to rear roofslope (permission previously granted for new dwelling Ref: SD16A/0073); new vehicular entrance 3.5m wide opening onto Waterstown Avenue and alterations to the existing boundary walls and new boundary wall to existing dwelling; all associated site, services and landscaping works.

SDCC Decision: Refuse Permission.

The decision of South Dublin County Council was subject to a First Party Appeal to An Bord Pleanála.

ABP Decision: Grant Permission, subject to conditions.

Relevant Enforcement History

None found in preliminary search.

Pre-Planning Consultation

None recorded.

Relevant Policy in South Dublin County 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.

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Section 6.8 Residential Consolidation

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.

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 6.8.2 Residential Extensions

Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.

H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 6.8.3 Family Flats

A family flat refers to a temporary subdivision or extension of an existing single dwelling unit to provide semi-independent accommodation for an immediate family member (older parent or other dependent). The Council will consider family flat developments where an established need has been satisfactorily demonstrated.

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Policy H15: Family Flats

Support family flat development subject to the protection of residential and visual amenities.

H15 Objective 1:

To favourably consider a family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation for an immediate family member or members subject to the criteria outlined in Chapter 12: Implementation and Monitoring.

Extensions

The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

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

Section 12.6.8 Residential Consolidation

Family Flats

A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of an existing dwelling). A family flat is not considered to represent an independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:

- *The applicant shall be required to demonstrate that there is a genuine need for the family flat;*
- *The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;*
- *The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;*
- *Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;*
- *Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.*

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Section 12.7.4 Car Parking Standards

Table 12.26 Maximum Parking Rates (Residential Development)

Section 12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

Section 12.7.6 Car Parking Design and Layout

Section 12.10.1 Energy Performance in New Buildings

Section 12.12.4 Environmental Monitoring

South Dublin County Council House Extension Design Guide, 2010

The House Extension Design Guide contains the following guidance on house extensions, including for porches and front extensions:

Elements of Good Extension Design:

- *Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow, or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible.*

Rear Extensions:

- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*

Overlooking and loss of privacy

- *Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.*

Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

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Relevant Government Policy

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

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

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

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

Urban Design Manual, 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, Department of the Environment, Heritage, and Local Government, (2009).

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

Planning Note

The drawings provided by the Applicant are considered deficient as follows:

- **Rear Amenity Space** – The Proposed Site Layout Plan (Drawing No. PA-000004) and Proposed Ground Floor Plan (Drawing No. PA-000001) annotate a rear garden of 74 sq.m. However, it is unclear from the drawings provided how this figure was calculated. For example, it appears that it may include the area of hardstanding utilised for parking. In this regard, the Applicant should be requested to provide a detailed Existing and Proposed Site Layout Plan which clearly annotates the private amenity space for the existing and proposed layouts.
- **Layout of existing dwelling** – The Existing floor plan drawings of the dwelling (Drawing No. PA-000003) appear to show a layout comprised of a sitting room, kitchen/living and dining room and 3 No. bedrooms. No bathroom is shown. In this regard clarification is required from the Applicant regarding the existing layout of the dwelling and, if necessary, revised Existing Floor Plan drawings should be provided.

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To facilitate a complete assessment of the proposed development and to address the above outlined deficiencies in the drawings, the Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of a complete set of revised Site Layout, Plan, Sectional, Elevational and Contiguous Elevational existing and proposed drawings.

Assessment

The main issues for assessment are:

- Zoning and Council Policy.
- Visual Impact and Residential Amenity.
- Green Infrastructure.
- Drainage and Water Services.
- Vehicular Access and Parking.
- Environmental Impact Assessment.
- Appropriate assessment.

Zoning and Council Policy

The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity.' New residential extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010.

Although overlap is indicated with a number of Development Plan Map Layers (Bird Hazard, Outer Horizontal Surface – Dublin Airport and Outer Horizontal Surface – Casement Aerodrome, etc.), having regard to the nature and scale of the proposed development there is unlikely to be a resultant adverse impact on these sensitivity layers.

Visual Impact and Residential Amenity

The proposed development shall be assessed below having regard to the policies and objectives contained within the South Dublin County Development Plan 2022-2028, the content of the South Dublin House Extension Design Guide and the potential impact on the visual and residential amenity of the subject site, adjacent properties, and the surrounding streetscape.

Family Flat

The proposed development includes the provision of a single storey family flat to the rear of the existing dwelling which projects approximately 11.5m out from the rear elevation and spans an approximate width of 4m and with a flat roof profile with an approximate height of 3.35m. The single storey rear extension is comprised of a kitchen/living/dining room, a bathroom, home office and a double bedroom with an approximate gross floor area of 50 sq. m.

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Policy on Family Flats

The Applicant has indicated that the proposed development is to '*create family ancillary accommodation*' and thus the proposal is assessed below having regard to the criteria relating to Family Flats outlined in Section 12.6.8 of the South Dublin County Development Plan 2022-2028.

- The applicant shall be required to demonstrate that there is a genuine need for the family flat.

The Applicant has not provided any justification for the proposed family flat. No information is provided by way of demonstration that there is a genuine need for the proposed family flat.

In this regard the Applicant should be requested to provide **ADDITIONAL INFORMATION** to outline the need for ancillary family accommodation.

- The overall area of a family flat should not exceed 50% of the floor area of the main dwelling house.

The area of the family flat is stated to be 50 sq. m and the area of the existing dwelling is stated to be 88.5 sq. m. The area of the proposed family flat is therefore greater than 50% of the floor area of the main house. The Application should be requested to provide **ADDITIONAL INFORMATION** in the form of revised site layout, plan, sectional and elevational drawings demonstrating that the area of the family flat does not exceed 50% of the floor area of the main dwelling.

- The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;

Whilst the main entrance to the existing dwelling is retained, the family flat is not directly accessible from the front door of the main dwelling via an internal access door. The proposed family flat is accessed from a newly created 'rear access utility area' in the northern elevation, to the rear of the existing dwelling. This newly created utility area also provides access to the kitchen/living/dining room of the main dwelling. In this regard, although not directly accessible from the front door of the main dwelling, it is considered that the access for the proposed family flat is through the existing dwelling. Should the Planning Authority ultimately be minded to Grant Permission for the proposed development, a **CONDITION** should be attached to ensure that the structure is not leased, operated, or sold as a separate dwelling and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

- Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house

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The proposed family flat includes external doors in the rear elevation providing access to the private amenity space.

- Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

Should the Planning Authority be minded to Grant Permission for the proposed family flat, a **CONDITION** should be attached to ensure that the structure is not leased, operated, or sold as a separate dwelling and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

Having regard to the content of the South Dublin House Extension Design Guide (2010), the following concerns arise in relation to the proposed development:

Separation Distance – In relation to the provision of a gap between side extensions and adjoining properties, the House Extension Design Guide states that:

'Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.' [Emphasis added]

In relation to the potential for residential extensions to be overbearing, the South Dublin House Extension Design Guide (2010) states the following:

'Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.' [Emphasis added]

It is noted that the proposed family flat has a maximum separation distance of 1.56m from the party boundary with the property located to the west, but that the separation distance reduces towards to the rear elevation of the existing dwelling, decreasing to 196mm and directly adjoining the party boundary. The Applicant should be requested to provide **ADDITIONAL INFORMATION** in the form of revised site layout, plan, sectional and elevational drawings demonstrating the provision of appropriate separation distance to the adjoining boundary in line with the South Dublin House Extension Design Guide (2010).

Temporary Nature of Development

Family flats are by nature a temporary development, creating an arrangement whereby someone who is unable to live completely autonomously has some level of privacy in their residence.

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South Dublin County Council applies, as previously outlined it is standard practice for the Planning Authority to attach a **CONDITION** to permitted family flats to ensure that the flat be reintegrated with the main dwelling house if and when it is no longer needed as a family flat.

In this case, it is apparent from the Floor Plan layout that there is potential for the family flat to be easily reintegrated with the main house following the cessation of its use as a flat. In re-designing the proposed family flat to address a request for **ADDITIONAL INFORMATION**, the Applicant should ensure that the potential for the family flat to be easily re-integrated should be retained.

Conclusion

The proposed development of a family flat would introduce new developments to the subject site which has the potential to impact on the character and setting of the receiving context. Having regard to the Family Flat policy contained within Section 12.6.8 of the Development Plan and the content of the South Dublin House Extension Design Guide (2010), it is considered that the proposal in its current form is not consistent with the policies and objectives contained therein.

Whilst principle of the proposed Family Flat and extension to the existing dwelling is considered acceptable at the subject site, a concern arises in relation to the impact of the additional footprint of the proposed development on adjacent properties. It is considered that the proposal in its current guise would amount to the overdevelopment of the subject site.

Green Infrastructure

The subject application provides for an increase to the footprint of an existing dwelling within an established suburban residential area. The site is located within the Core Green Infrastructure area, at the cross section of the M50 Primary GI Corridor and the Liffey Valley Primary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4) and Table 4.1 of the South Dublin County Development Plan 2022-2028.

It is noted that the application does not appear to include a detailed plan demonstrating the adoption of Sustainable Urban Drainage System measures. Having regard to the location of the site within the Core GI area and at the intersection of 2 No. Primary GI corridors, the extent of private amenity grassland, the scale of the footprint increase and the lack of/ limited provision of SuDS measures, it is considered that the subject development has not incorporated Green Infrastructure and would therefore not be in accordance with Policy Objectives GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028.

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Having regard to the above the applicant should be requested, by way of **ADDITIONAL INFORMATION**, to submit Green Infrastructure Plan, incorporating the protection and enhancement of Green Infrastructure assets through the adoption of SuDS measures, demonstrating compliance with the Green Infrastructure Strategy outlined in the South Dublin County Development Plan 2022-2028. Further information in relation to SuDS measures can be found in South Dublin County Council's *Sustainable Drainage Explanatory Design & Evaluation Guide 2022*, a copy of which is available on the SDCC website.

Drainage and Water Services

The Irish Water Network map appears to indicate that the subject site is serviced by a public mains and sewer. Should permission be granted for the proposed development, it is considered appropriate that standard drainage **CONDITIONS** should be attached relating to water supply, surface water and foul water drainage.

Vehicular Access and Parking

The Roads Department have assessed the proposed development, with their Report outlining the following assessment:

'There is an existing vehicular entrance to the rear and off laneway. This entrance is not accurately detailed on the submitted drawings and a revised drawing will be required.'

'The proposed building is likely to affect turning movements for vehicles egressing. AutoTRAK analysis of how vehicles can safely egress will be required also.'

The Report of the Roads Department ultimately indicates that the following **ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development:

- Applicant to submit a revised fully dimensioned layout detailing the existing/proposed vehicular entrance.
- Applicant to submit AutoTRAK analysis showing how vehicles can safely egress the site.

Screening for 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 likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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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 residential area and comprises of a house extension in the form of single storey rear extension. Having regard to:

- the scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

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

Conclusion

Having regard to the 'RES' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2022-2028 and the South Dublin House Extension Design Guide 2010, the proposed development of a single storey rear is generally acceptable in principle. However, **ADDITIONAL INFORMATION** is required to address concerns regarding the impact of the proposal on the existing Green Infrastructure networks, the visual and residential amenities of the subject site, adjoining properties and the surrounding streetscape, the vehicular access and car parking arrangements and to facilitate a complete assessment 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 Existing and Proposed Site Layout, Plan, Sectional, Elevational and Contiguous Elevational drawings which address the following deficiencies:
 - (i) Rear Amenity Space – The Proposed Site Layout Plan (Drawing No. PA-000004) and Proposed Ground Floor Plan (Drawing No. PA-000001) annotate a rear garden of 74 sq.m. However, it is unclear from the drawings provided how this figure was calculated. For example, it appears that it may include the area of hardstanding utilised for parking. In this regard, the Applicant should be requested to provide a detailed Existing and Proposed Site Layout Plan which clearly annotates the private amenity space (including dimensions) for the existing and proposed layouts.

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- (ii) Layout of existing dwelling – The Existing floor plan drawings of the dwelling (Drawing No. PA-000003) appear to show a layout comprised of a sitting room, kitchen/living and dining room and 3 No. bedrooms. No bathroom is shown. In this regard clarification is required from the Applicant regarding the existing layout of the dwelling and, if necessary, revised Existing Floor Plan drawings should be provided.
2. Having regard to the content of Section 12.6.8 of the South Dublin County Development Plan, the Applicant is requested to provide the following:
 - (i) A detailed rationale/justification to demonstrate that there is a genuine need for the family flat.
 - (ii) A complete set of revised site layout, plan, sectional and elevational drawings demonstrating that the area of the family flat does not exceed 50% of the floor area of the main dwelling.
 3. The Applicant is requested to provide a complete set of Proposed Site Layout, Plan, Sectional, Elevational and Contiguous Elevational drawings which demonstrate the revision of the design of the proposed development to include either the reduction in the height of the rear extension to a maximum of 3 meters adjacent to the side boundary or the provision of a 1 meter separation distances to adjacent boundaries.
 4. The Applicant is requested to submit the following information in relation to the vehicular access and car parking arrangements:
 - (i) A revised fully dimensioned layout detailing the existing/proposed vehicular entrance.
 - (ii) AutoTRAK analysis showing how vehicles can safely access and egress the subject site.
 5. The Applicant is requested to provide a Green Infrastructure Plan which demonstrate the protection and enhancement of Green Infrastructure assets through the adoption of Sustainable Urban Drainage Systems (SuDS measures) into the design of the drainage and water services infrastructure for the proposed development. In preparing the Green Infrastructure Plan, the Applicant should have regard to the Green Infrastructure Strategy, Policies and Objectives outlined in the South Dublin County Development Plan 2022-2028. Further information in relation to SuDS measures can be found in South Dublin County Council's Sustainable Drainage Explanatory Design & Evaluation Guide 2022, a copy of which is available on the SDCC website.

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Additional Information

Additional Information was requested on 12th January 2023.

Additional Information was received on 3rd 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 3rd February 2023:

- Letter of Response prepared by PDC Architectural.
- Drawing No. PA-000003 – Existing Plans, Sections and Elevation prepared by PDC Architectural.
- Drawing No. PA-000004 – Proposed Site Layout Plan prepared by PDC Architectural.
- Drawing No. PA-000005 – Proposed Site Layout Plan prepared by PDC Architectural.
- Drawing No. PA-000001 – Proposed Ground Floor and Roof Plans prepared by PDC Architectural.
- Drawing No. PA-000002 – Proposed Elevations and Sections prepared by PDC Architectural.

The Additional Information provided by the Applicant will be assessed below in the context of the 5 No. Additional Information Items requested by the Planning Authority on 12th January 2023:

Additional Information Item No. 1

In response to Additional Information Item 1(i), the Applicant has provided a Site Layout Plan clearly identifying the calculation of the 74 sqm private amenity space. Whilst some of this space appears to be incidental (to the western side of the dwelling), it is considered that the majority of the rear garden is functional and will provide adequate private amenity for both the existing and proposed dwelling, in addition to the 69 sqm front garden. It is therefore considered that Additional Information Item 1(i) has been satisfactorily addressed.

In response to Additional Information Item 1(i), the Applicant has provided a set of revised Existing Floor Plan drawing which demonstrate that the existing dwelling is comprised of a sitting room, 3 No. bedrooms, a hallway, a bathroom and a kitchen/dining area. It is considered that the revised drawings successfully address Additional Information Item No. 1(ii).

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Additional Information Item No. 2

In response to Additional Information Item No. 2(i), the Applicant has provided details of the future occupant of the proposed development. Owing to the sensitive nature of the data contained within the rationale/justification for the proposed development, it was not included on the public planning file for this Application.

The rationale/justification provided by the Applicant is considered to satisfactorily address Additional Information Item 2(i). Should the Planning Authority be minded to Grant Permission for the proposed development, it is considered appropriate that a **CONDITION** be attached ensuring that the proposed family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

In response to Additional Information Item No. 2(ii), it is noted that the area of the proposed family flat appears to be 47 sq.m. The area of the existing dwelling is stated in the Application Form as 88.5 sqm. The revised drawings provided by the Applicant appear to state that the area of the existing dwelling is 95 sqm. It is unclear from the information provided by the Applicant why there is a discrepancy between these two figures. Nonetheless, if it is the case that the existing dwelling measures 88.5 sq.m, the provision of a family flat measuring 47 sqm would only be marginally above 50% the floor area of the existing dwelling. In this instance, having regard to the rationale/justification for the proposed family flat provided in response to Additional Information Item No. 3, it is considered that the additional floor area above the 50% is considered acceptable. Additional Information Item 2(ii) has therefore been addressed.

Additional Information Item No. 3

In response to Additional Information Item No. 3, the Applicant has provided a complete set of Proposed Plan, Sections and Elevations which demonstrate that the proposed height of the development has been revised to 3m.

The revisions applied by the Applicant are considered to be acceptable as they have successfully addressed the requirements of Additional Information Item No. 3.

Additional Information Item No. 4

In response to Additional Information Item No. 4 the Applicant has provided an AutoTRAK Site Layout drawing along with the below response:

'The existing dwelling is located on the Old Lucan Road in Palmerstown, the dwelling have never had parking to the front, and also double yellow lines are marked on the roadway outside, as per below photo.

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As per cover letter we are not creating any further car movements on the site, the existing house is located with a shared rear access right of way to a development to the rear, see below AutoTRAK extract, it is impossible to have parking radius correctly due to the width of the existing lane.'

The Report of the Roads Department provides the following assessment of the Applicant's Response:

'A site visit was carried out on 21.02.2023. Resident was present and there was consultation.

It was noted that the building's footprint to the rear was not properly represented on the submitted drawing and this is a significant issue for Roads in assessing how traffic might access/egress the site safely.

The existing arrangement is not ideal in that cars are required to reverse blindly into the laneway in order to exit the subject site, with the sightline of the driver blocked in the northerly direction by a boundary wall - 1.6m high approx. The footprint of the proposed extension may conflict with/impinge upon the current turning arrangement.'

The Roads Department have indicated that the following **CLARIFICATION OF ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development:

1. The applicant to submit an 'existing drawing' which is compiled using accurate survey data – to include existing dwelling, all boundary walls, vehicular access.
2. The applicant to submit a revised proposed layout:
 - a. To be fully dimensioned (widths, offsets, etc)
 - b. To clearly show the proposed parking area
 - c. To include sightline drawing based on a 30kmh speed limit
 - d. Giving details of how sightlines can be achieved
3. Applicant to submit AutoTRAK analysis showing how vehicles can safely egress the subject site.
4. The applicant to propose additional measures that would enhance visibility, safety and awareness for all users of the laneway.

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Having regard to the Report of the Roads Department, it is considered that Additional Information Item No. 4 has not been satisfactorily addressed and, as such, **CLARIFICATION OF ADDITIONAL INFORMATION** should be sought from the Applicant. Prior to responding to a request for Clarification of Additional Information, the Applicant is encouraged to liaise with the Roads Department.

Additional Information Item No. 5

In response to Additional Information Item No. 5, the Applicant has indicated that the proposed development will include rainwater butts, permeable paving, and rain gardens.

Whilst the inclusion of these Sustainable Drainage Systems measures would positively contribute to the protection and enhancement of Green Infrastructure assets, the Applicant has failed to identify on the drawings provided the exact nature and extent of these proposed measures. In this regard, the Applicant has not satisfactorily addressed Additional Information Item No. 5.

The Applicant should be requested to provide **CLARIFICATION OF ADDITIONAL INFORMATION** in the form of a Green Infrastructure Plan for the subject site provided at scale not less than 1:200, which clearly identifies all the proposed Sustainable Drainage Systems measures. In preparing the Green Infrastructure Plan, the Applicant should have regard to the Green Infrastructure Strategy, Policies and Objectives outlined in the South Dublin County Development Plan 2022-2028. Further information in relation to SuDS measures can be found in South Dublin County Council's Sustainable Drainage Explanatory Design & Evaluation Guide 2022, a copy of which is available on the SDCC website.

Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2022-2028 and the South Dublin County House Extension Design Guide (2010) and the clarification required in relation to the vehicular access and parking and the Green Infrastructure Plan, the Additional Information items have not been satisfactorily addressed. In this regard **CLARIFICATION OF ADDITIONAL INFORMATION** should be sought, to facilitate a complete assessment of the proposed development and to ensure adherence to the key policies, objectives and guidance contained within the Development Plan 2022-2028 and the House Extension Design Guide (2010).

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Recommendation

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

1. The Applicant is requested to provide the following:
 - (i) Submit an 'existing drawing' at a scale not less than 1:200 which is compiled using accurate survey data – to include existing dwelling, all boundary walls, vehicular access.
 - (ii) Submit a revised proposed layout:
 - a. To be fully dimensioned (widths, offsets, etc.).
 - b. To clearly show the proposed parking area.
 - c. To include sightline drawing based on a 30kmh speed limit.
 - d. Giving details of how sightlines can be achieved.
 - (iii) Submit AutoTRAK analysis showing how vehicles can safely egress the subject site.
 - (iv) Propose additional measures that would enhance visibility, safety and awareness for all users of the laneway. Prior to responding to the above outlined request for Clarification of Additional Information, the Applicant is encouraged to liaise with the Roads Department.
2. The Applicant is requested to submit a Green Infrastructure Plan for the subject site provided at scale not less than 1:200, which clearly identifies all the proposed Sustainable Drainage Systems measures outlined in their Response to the Additional Information received on 3rd February 2023. In preparing the Green Infrastructure Plan, the Applicant should have regard to the Green Infrastructure Strategy, Policies and Objectives outlined in the South Dublin County Development Plan 2022-2028. Further information in relation to SuDS measures can be found in South Dublin County Council's Sustainable Drainage Explanatory Design & Evaluation Guide 2022, a copy of which is available on the SDCC website.

Clarification of Additional Information

Clarification of Additional Information was requested on 27th February 2023.

Clarification of Additional Information was received on 17th May 2023.

The Clarification of 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.

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Assessment

The following Clarification of Additional Information was received from the Applicant on 17th May 2023:

- Drawing No. CFI-000001 – Proposed Site Layout prepared by PDC Architectural.
- Drawing No. CFI-000002 – Green Infrastructure Plan prepared by PDC Architectural.

The Additional Information provided by the Applicant will be assessed below in the context of the 2 No. Additional Information Items requested by the Planning Authority on 27th February 2023:

Clarification of Additional Information Item No. 1

In response to Additional Information Item 1, the Applicant has provided a revised Proposed Site Layout Plan which demonstrates slight revisions to the proposed vehicular access to the subject site, resulting in a 4.5m wide entrance with a 0.9m high boundary wall either side and 1.2m high pillars. The addition of a convex mirror on the wall opposite the vehicular entrance is also indicated to enhance safety, awareness and visibility for all users of the laneway.

The Roads Department have assessed the Applicant's submission, with their Report indicating:

'The requirements of the additional information as requested by SDCC Roads have been met. Roads are satisfied with the proposed design.'

The Report of the Roads Department concludes with no objection to the proposed development, subject to **CONDITIONS**. Clarification of Additional Information Item No. 1 has been satisfactorily addressed.

Clarification of Additional Information Item No. 2

In response to Additional Information Item No. 2, the Applicant has provided a Green Infrastructure Plan which includes 2 No. water butts and permeable paving applied to the car parking area to the front of the dwelling.

It is considered that, having regard to the nature, scale and design of the proposed development, the Applicant has included appropriate Green Infrastructure measures. In this regard, Clarification of Additional Information Item No. 2 has been satisfactorily addressed.

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Other Considerations

Development Contributions

| Development Contributions | |
|--|--|
| Planning Reference Number | SD22B/0486 |
| Summary of permission granted & relevant notes: | Ground floor extension to rear (to create family ancillary accommodation) with internal modifications and associated site works. |
| Are any exemptions applicable? | Yes |
| If yes, please specify: | The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought. |
| Is development commercial or residential? | Residential |
| Standard rate applicable to development: | 119.10 |
| % reduction to rate, if applicable (0% if N/A) | 0 |
| Rate applicable | €119.10 |
| Assessable Area of Development (m2) | 47.00 |
| Amount of Floor area, if any, exempt (m2) | 40 |
| Total area to which development contribution applies (m2) | 7.00 |
| Total development contribution due | €833.70 |

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SEA Monitoring

| SEA Monitoring Information | |
|--|--------------------------|
| Building Use Type Proposed | Floor Area (sq.m) |
| A single storey extension to the rear of the existing dwelling (to provide family accommodation) | 47 sq.m |
| Land Type | Site Area (Ha.) |
| Brownfield/Urban Consolidation | 0.00364 Ha |

Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2022-2028 and the South Dublin County House Extension Design Guide (2010) and the Clarification of 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 3rd February 2023 and Clarification of Further Information received on 17th May 2023, save as may be required by the other conditions attached hereto.

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

2. 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.

3. Restrictions on Family Flat.

(a) The use of the family flat shall be restricted to a residential use only, directly associated with the use of the existing house on the site for such purposes and the family flat shall not be subdivided or separated from the main house. In particular, it shall not be sold, leased or let (including short-term letting) independently of the main house.

(b) The family flat extension shall revert to use as part of the main house when the development is no longer required for use as a family flat.

REASON: To ensure that the family flat does not operate as an independent dwelling unit or for any commercial purpose, in the interest of residential amenity and the proper planning and sustainable development of the area.

4. 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.

5. 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.

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.

6. 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.

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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.

7. (i) The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
(ii) The vehicular access point shall not exceed a width of 4.5 meters.
(iii) Any gates shall open inwards and not outwards on to laneway.
(iv) Convex mirror must be installed as per best practice guidelines.

REASON: In the interests of pedestrian and traffic safety.

8. 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.

9. 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.

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.

10. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €833.70 (Eight Hundred and Thirty Three Euro and Seventy 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 is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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

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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.

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: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD22B/0486

LOCATION: Castle Cottage, Lucan Road, Dublin 20



**Conor Doyle,
Assistant Planner**

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

Date: 13/06/2023


**Colm Harte,
Senior Executive Planner**