



An
Bord
Pleanála

Inspector's Report ABP-313855-22

Development	House, new vehicular/pedestrian entrance, and associated site works
Location	42, Whitehall Road, Terenure, Dublin 12, D12 YR60
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD22A/0094
Applicant(s)	Derek Glennon.
Type of Application	Permission.
Planning Authority Decision	Refused
Type of Appeal	First Party
Appellant(s)	Derek Glennon.
Observer(s)	None.
Date of Site Inspection	24 th October 2022.
Inspector	Lucy Roche

1.0 Site Location and Description

- 1.1. The proposed development site has a stated area of 0.039 Hectares and is located at the junction Whitehall Road and Whitehall Gardens, Terenure, Dublin 12, c2.5km northeast of Junction 11 on the M50. The area is predominantly residential in nature.
- 1.2. The site comprises the side and rear gardens of No.42 Whitehall Road, a single storey detached dwelling with generous front and rear gardens. The main body of the site (the site of the proposed dwelling and its curtilage) is located to the rear of No. 42 and is currently set out in grass. As per the details submitted, this area (0.029ha as stated) is to comprise the 'legal' boundary associated with the proposed dwelling. It is bounded by the side gable of No.1 Whitehall Gardens to the southeast and by the rear curtilages of No's. 46 and 42 to the southwest and northwest respectively.
- 1.3. The remainder of the proposed development site (c0.01ha) comprises a narrow strip of land to the side / northeast of No. 42 Whitehall Road. This area will provide a service route for a drainage connection on Whitehall Road.

2.0 Proposed Development

- 2.1. The proposed development comprises an infill dwelling to the rear of No. 42 Whitehall Road. The development as presented to the planning authority consists of the following:
 - A two-storey, three-bedroom, detached dwelling with a stated area of 96.7sqm
 - New vehicular/pedestrian entrance off Whitehall Gardens to the northeast
 - Provision for 2 no. in curtilage car parking spaces.
- 2.2. The proposal includes a sub-terranean attenuation tank with hydro brake. A sewage connection is to be routed through No.42 Whitehall Road to connect to the main sewage line along Whitehall Road.
- 2.3. Table 2.1 below provides a schedule of the key figures associated with the proposed development:

Table 2.1: Site / Development Details

Site Area	
<i>Appeal Site</i>	<i>0.039ha (390sqm)</i>
<i>Proposed New Site Area (legal Boundary)</i>	<i>0.029ha (290sqm)</i>
<i>No. 42 Whitehall Rd + Existing Curtilage</i>	<i>0.096ha (960sqm)</i>
<i>Area retained for No.42</i>	<i>0.067ha (670sqm)</i>
Gross Floor Area	<i>96.7sqm</i>
Dwelling Height	<i>c9.2m</i>
Private Amenity Space	
<i>Proposed Dwelling</i>	<i>61sqm (to rear of front building line)</i>
<i>No. 42 Whitehall Rd</i>	<i>216sqm</i>

3.0 Planning Authority Decision

3.1. Decision

3.1.1. South Dublin County Council did by order dated 26th May 2022 refuse permission for the proposed development for three reasons, as follows:

- 1 The design of the private open space to serve the proposed dwelling is 'L' shaped in design with only c.36sq.m. located behind the main rear building line. The geometry of the private open space is such that it will only provide a rear garden of some 2m depth and will project outwards from the side building line by only c.6m. The design of the private open space is such that it would not be considered to provide for adequate private amenity and therefore would be contrary to Section 11.3.1 Residential (iv) Dwelling Standards of the SDCC Development Plan 2016-2022.
- 2 As the rear building line of the proposed two storey dwelling will be offset be only c.2m from the boundary with the immediate neighbour to the west (No.46 Whitehall Road) this will have a significant adverse overbearing impact on the residential and visual amenity for this property and for its

private open space. Having regard to this overbearing impact and unacceptable quality of private open space, the proposed development constitutes overdevelopment of a constrained site and would detract from the residential amenity of neighbouring properties and would therefore contravene Council policy in relation to residential development as set out in Sections 11.3.1 Residential (iv) Dwelling Standards and Section 11.3.2 Residential Consolidation of South Dublin County Development Plan 2016 - 2022. As a result, the proposed development would seriously injure the amenities of property in the vicinity and would contravene the proper planning and sustainable development for the area.

- 3 Due to insufficient information being submitted by the applicant the Planning Authority cannot be satisfied that the proposed development would not be prejudicial to public health and would not give rise to traffic hazard

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The proposal which constitutes back land development, is permitted in principle on 'Res' Zoned lands and would be acceptable subject to compliance with the relevant provisions in the Development Plan with specific reference to Section 11.3.2 (i) Infill Sites (iii) Backland Development.
- The contemporary architectural proposal would integrate well with existing building types and the overall character of the area
- The proposed area of private open space would at c.79sq.m technically comply with minimum standard of 60sq.m set out in the South Dublin County Council Development Plan 2016-2022 for a house with three bedrooms however the design of the private open space would not be considered to provide for adequate private amenity. Refusal is recommended on this basis.
- The distance between the gable wall of No.1 Whitehall Gardens and the gable wall of the proposed dwelling varies from c.2m at the front to less than c.1m to the rear. This is considered to accord with the residential and visual amenity of the area

- The ridge height and eaves height of the proposed dwelling will match that of No.1 Whitehall Gardens. This would not have a significant adverse impact on residential and visual amenity
- The first floor of the proposal has been designed and sited to avoid overlooking and to avoid directly opposing above ground floor windows facing surrounding properties.
- The proposal will have a significant adverse overbearing impact on the residential and visual amenity of No.46 Whitehall Road. Refusal is recommended on this basis
- As the proposed dwelling is located in close proximity to adjoining residential properties, a two-storey proposal is not acceptable in this instance
- Insufficient information has been submitted regarding requirements for the Roads Section and in relation to services and drainage
- A decision to refuse permission based on the issues raised in the report is recommended

3.2.2. Other Technical Reports

Roads Section: Requests additional information in the form of a revised layout showing: the access reduced in width 3.5m, on-site parking / turning for two cars with swept path analysis. Conditions recommended in the event of a grant.

Surface Water Drainage – Additional Information recommended.

Parks Department: No objection. Conditions recommended in relation to landscaping and SuDs

3.3. Prescribed Bodies

3.4. Irish Water: Requests further information detailing existing and proposed water and foul water drainage connections

3.5. Third Party Observations

South Dublin County Council received submissions from local residents objecting to the proposed development. The main issues raised in these submissions have been grouped and are summarised below:

Traffic / Parking:

- Whitehall Gardens is a narrow cul-de-sac (only c.6.245m wide) that is used by non-residents for parking. Residents have difficulty entering and exiting driveways.
- Increased traffic will exasperate parking and access problems (including access for emergency vehicles) and increase the risk of accidents

Contrary to policy

- The proposed development would be contrary to the 'RES' zoning objective for the area.
- The proposed development would be contrary to the policies of the SDCC Development Plan 2015-2022 which seek 'to ensure that new development in established areas does not impact negatively on the amenities and character of an area' and which state in respect of back land development, that development that is in close proximity to adjoining residential properties should be single storey

Design / layout

- The proposed development would comprise overdevelopment of a constrained / restricted site.
- The proposed development is piecemeal and represents a haphazard, unstructured, infill development that would alter the streetscape and character of Whitehall Gardens
- Concern raised regarding the limited separation distances provided
- There is a lack of adequate private open space for both existing and proposed dwellings
- The loss of existing private open space would have a negative impact on the amenities of the area

- The proposed development would set an undesirable precedent for other similar developments in the vicinity.

Impacts on Adjoining Properties

- The proposed development would have a negative impact on the amenities of adjoining properties in terms of visual impact, overshadowing, overbearing impact, overlooking surrounding properties.
- Noise pollution with increased traffic levels.

Flood Risk

- The subject site is within the fluvial flood zone of the River Poddle and is susceptible to flooding.

4.0 Planning History

SD07A/0018:	Permission refused (2007) for dormer bungalow, entrance etc to the rear of 42/44, Whitehall Road, Dublin 12 for two reasons: 1) Overdevelopment of the site and 2) The proposal would set an undesirable precedent
S01A/0285	Permission refused (2002) for dwelling etc to the rear of No.40 Whitehall Rd. 1) the proposal would infringe on the building line of Whitehall Gardens and 2) would be out of character with the area.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The application was assessed by South Dublin County Council in accordance with the policies and objectives of the South Dublin Development Plan 2015-2022. The South Dublin County Development Plan 2022-2028 was made on 22nd June 2022 and came into effect on 3rd August 2022. I have assessed the proposal under the provisions of the operative Development Plan, namely the South Dublin County Development Plan 2022-2028 (SDCDP 2022)

5.1.2. Zoning: The site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity'. Residential development is permitted in principle.

5.1.3. Chapter 6 Housing: 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 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.

5.1.4. Section 11.3 Flood Risk Management

IE4 Objective 1: To require site specific flood risk assessments to be undertaken for all new developments within the County in accordance with The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009) and the requirements of DECLG Circular P12 / 2014 and the EU Floods Directive and Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter

5.1.5. Infill Sites

Development on infill sites should meet the following criteria (inter alia):

- Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.
- A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes.
- Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.
- Subject to appropriate safeguards to protect residential amenity, reduced public open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops.
- It should be ensured that residential amenity is not adversely impacted as a result of the proposed development.

5.1.6. 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;

- 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

5.1.7. Backland Development

The design of development on back land sites should meet the criteria for infill development in addition to the following criteria:

- Be guided by a site analysis process in regard to the scale, siting and layout of development.
- Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area.
- Demonstrate that there is no undue overlooking, and that overshadowing is assessed having regard to 'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' or any updated guidance.

- Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.

5.1.8. Private Open Space

Development proposals for housing must be required to accord with or exceed the minimum private open space standards set out in the table below. Generally, Private Open Space for housing should be located behind the front building line of the house and be designed to provide for adequate private amenity.

Table 5.1 Private Open Space Requirements		
Type of Unit	House Size	Private Open Space
One bedroom	50sqm	48sqm
Two Bedroom	80sqm	55sqm
Three Bedrooms	92sqm	60sqm
Four bedrooms or more	110sqm	70sqm

5.1.9. Car Parking

As per Table 12.26: Maximum Parking Rates (Residential Development) of the CDP a house with three bedrooms or more requires a maximum of 2no parking spaces. The number of spaces provided for any particular development should not exceed the maximum provision. The maximum provision should not be viewed as a target and a lower rate of parking may be acceptable subject to criteria outlined in Section 12.7.4 Car Parking Standards.

5.2. **Natural Heritage Designations**

5.3. The site is not located on or within proximity to any designated site.

5.4. **EIA Screening**

Having regard to the nature and scale of the proposed development, comprising of an infill dwelling on zoned and serviced lands 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

6.0 The Appeal

6.1. Grounds of Appeal

Refusal Reason #1

- As per the SDCCDP the minimum standard for private open space for a three-bedroom dwelling is 60sqm, to be located behind the front building line of the house. This would include side gardens.
- The area of private open space originally proposed is 61sqm which is above the minimum standard. The total amenity area proposed is 160sqm
- The existing rear garden of No.42 Whitehall Road offers high quality private amenity parallel to Whitehall Gardens. The front garden of the proposed house offers the same quality space.

Refusal Reason #2

- The SDCCDP lacks clarity on the definition of what is overbearing
- The proposed house is aligned to the existing streetscape of Whitehall Gardens
- The height of the proposed house is aligned with the existing streetscape
- The proposed house becomes an extension of the existing streetscape
- Materials of the proposed house match the existing streetscape
- There is zero overlooking and overshadowing impact
- Considering the size of the garden of No.46 Whitehall Road there is to be no significant impact on their house or garden

The following amendments to the scheme have been submitted for consideration

- Landscaped boundary to screen the proposed house including 4no Betula Pendula trees

- Hip roof introduced to the gable end to reduce the perceived height of the house from 46 Whitehall Road

Refusal Reason #3

- The original planning application proposed 2 car parking spaces and a 6m vehicular opening
- It is proposed to reduce the car parking space to a single space and to reduce the vehicular opening to 3.5m wide
- Whitehall Road is serviced by a regular bus route and therefore the reduction of parking spaces to a single space will not impact the ability to service the house.
- This proposal would also improve the transport sustainability strategy

The following documentation has been submitted in support of this appeal:

- A letter from the residents of No.46 Whitehall Road confirming that they have no objection to the proposed house
- Revised drawings and site photographs to illustrate the proposed development and the proposed amendments

6.2. **Planning Authority Response**

- The issues raised in the appeal have been covered in the planner's report

6.3. **Observations**

- None

7.0 **Assessment**

7.1. I consider the main issues in this appeal are as follows:

- County Development Plan Policy and the Principle of Development
- Private Open Space
- Overdevelopment of the Site

- Impact on residential and visual amenity
- Access / Parking
- Flood Risk Assessment (new issue)
- Services

Appropriate Assessment also needs to be considered

7.2. County Development Plan Policy and The Principle of Development

- 7.2.1. Planning permission has been sought for the construction of a two-storey detached three-bedroom dwelling to the rear of No.42 Whitehall Road.
- 7.2.2. The proposed development site is in an area zoned 'Objective RES; *To protect and/or improve residential amenity*' under the South Dublin County Council Development Plan 2022-2028 (SDCDP 2022). Residential development is permitted in principle under this zoning objective.
- 7.2.3. The proposed development is located within an established residential area and would, I consider, comprise an infill dwelling. The policies and objectives of the SDCDP 2022-2028, namely Housing Policy 13 and its associated objectives, seek to promote and support residential consolidation and sustainable intensification at appropriate locations, by way of infill development, the subdivision of larger houses, backland development and through the development of large corner sites.
- 7.2.4. While I note that the planning authority in their assessment considered that the proposal constitutes 'backland' development, given that the proposed dwelling addresses and is to be directly accessed from, the public road (Whitehall Gardens), I consider that the proposal would be more akin to a Corner/Side Garden site. In this regard I refer the Board to Housing Policy H13, Objective 3 which states that the development of corner or wide garden sites within the curtilage of existing houses in established residential areas will be favourably considered.
- 7.2.5. I therefore consider that the provision of an additional house on the site within an established residential location is acceptable in principle.

7.3. Private Open Space

- 7.3.1. The development standards set out in the SDCCP 2022-2028 require a minimum of 60sqm of private open space for three-bedroom houses. Private open space should generally be located behind the front building line of the house and be designed to provide for adequate private amenity.
- 7.3.2. As detailed in the first party appellants grounds of appeal, 78sqm of private open space is available behind the front building line of the proposed house. This would exceed the required minimum standard. However, the planning authority, are not satisfied that the design / layout of the private open space as proposed would provide for an adequate level of private amenity. They refused permission on this basis. (Refusal Reasons 1 and 2 relate)
- 7.3.3. While I would agree that the narrow (c2m wide) strip of open space to the rear of the proposed house would not in itself comprise a functional area of private amenity space, I am satisfied that the area of open space to the side (northwest) of the proposed house is adequate in terms of size (61sqm as stated), shape, and functionality. I note that this area currently forms part of the private amenity space serving No. 42 Whitehall Road; it is screened from the roadway by an existing boundary wall and hedge and is not directly overlooked by dwellings on the opposite side of the cul-de-sac. Should the Board deem it necessary, an additional boundary wall / fence could be erected to the side of the proposed house to demarcate the front and rear garden areas.

7.4. Overdevelopment of the site

- 7.4.1. No.42 Whitehall Road and its current curtilage has a stated area of 0.096ha, 0.29ha of which is to be ceded to the proposed dwelling with the remaining c0.67ha retained to serve the existing dwelling (No.42).
- 7.4.2. The proposed house has a stated gross floor area of 96.7sqm which exceeds the minimum 92sqm for a three-bedroom, five-person house stipulated in both Table 5.1

of the Quality Housing for Sustainable Communities Guidelines and Table 3.20 of the Plan.

- 7.4.3. The proposed two-storey house is located at the southern end of the appeal site, adjacent to, and in line with, No.1 Whitehall Gardens. The separation distance between the gable wall of No.1 Whitehall Gardens and the gable wall of the proposed dwelling varies from c.2m at the front to less than c.1m to the rear. This is I consider acceptable.
- 7.4.4. As previously established, the proposed dwelling is to be served by an area of private open space which I consider adequate in terms of quantity and quality. The area of private amenity space retained to serve No.42 Whitehall Road, at 216sqm (as stated), far exceeds the minimum standards set out in Table 3.20 of the plan.
- 7.4.5. Car parking for No.42 Whitehall Road is accommodated within the front curtilage of the house. The proposed scheme, as presented to the planning authority, includes for the provision of two off-street car parking spaces to serve the proposed dwelling. This would accord with the parking rates for residential development as set out in Table 12.26 of the Plan which allows for a maximum of 2 spaces per three-bedroom house. A revised proposal for one off street parking space, submitted as part of the first party appellants grounds of appeal, is considered later in this report.
- 7.4.6. In light of the above I consider that the development is acceptable in terms of residential amenity to both the existing (No. 42 Whitehall Road) and proposed houses and does not comprise overdevelopment.

7.5. Impact on Residential and Visual Amenity

- 7.5.1. When development occurs, there is inevitably an unavoidable impact on the receiving environment. While the development of this site as proposed would I consider, alter the existing streetscape along Whitehall Gardens, the proposed two-storey house would not I consider, due to its location, height and design, appear incongruous or result in an overbearing presence on the streetscape.

- 7.5.2. I accept, having regard to the limited separation distance (c2m) between the proposed dwelling and the adjoining property to the southwest, No. 46 Whitehall Road, that there will be an overbearing impact on that property; however, given the size and length (c24m) of the rear garden serving No. 46 Whitehall Road, I do not consider that this impact would be so significant as warrant a refusal.
- 7.5.3. The first party appellants have submitted an alternative design proposal for consideration by the Board. The amended design introduces a hipped roof to the side (northwest) gable end to reduce the perceived height of the proposed house when viewed from No. 46 Whitehall Road. However, having regard to the location of the proposed development within an established residential area and the separation distance between the proposed dwelling and No. 46 Whitehall Road (c18m) I do not consider that such a design amendment is necessary in this instance. Furthermore, I consider that the design of the house as originally proposed would sit more comfortably within the streetscape. I do however support the applicant's proposal for additional planting along the southwest site boundary and I would recommend that this be included as a condition in the event that the Board decide to grant permission.
- 7.5.4. I do not consider that the development as proposed would result in any significant new overlooking. The rear elevation of the proposed dwelling looks onto the private amenity space serving of No. 46 Whitehall Road. There are four windows at first floor level in the rear elevation. These windows serve the two double bedrooms. To prevent overlooking of the adjoining property, each of the four-bedroom windows is to be fitted with timber louvres, angled to allow for natural light and horizontal views. This is I consider a suitable design solution in this instance. There are no first-floor windows to the northwest elevation. A single first floor window on the southwest gable serves the stairway and will look directly onto the black gable of No.1 Whitehall Gardens with no loss of amenity. Windows to the front/northeast overlook the cul-de-sac and increase passive surveillance to this public area.
- 7.5.5. I am satisfied that the proposed development would not have any significant undue impact on the amenities of the area or adjoining properties.

7.6. Access / Car Parking

- 7.6.1. The proposed development site is to be served by a new entrance off Whitehall Gardens, a residential cul-de-sac, to the northeast of the site. The cul-de-sac road is c6m in width with a footpath on either side. I consider the road and its junction with Whitehall Road, to be adequate to cater for the additional traffic movements that would be generated by this development.
- 7.6.2. I note from the third-party submissions on file and from site inspection that unregulated on-street parking occurs along Whitehall Gardens, particularly along the stretch of road flanking No's 40 and No. 42 Whitehall Road. Third parties are concerned that the provision of an entrance at this location would exacerbate parking and access issues.
- 7.6.3. While the introduction of a new entrance at this location would reduce the space available on the roadway for parking, this would not in my opinion, have a significant undue impact on existing parking / access arrangements on the cul-de-sac, provided that adequate on-site parking is made available for the proposed house. I therefore recommend that the Board considers the applicants original proposal for the provision of two on-site car parking spaces as opposed to their revised proposal which allows for only one on-site parking space.
- 7.6.4. I note that the entrance as proposed has a width of 6m which was deemed to be excessive by the SDCC's Road Department, a reduced width of 3.5m was recommended. I consider this to be acceptable and I recommend that this design amendment be included as a condition should the Board decide to grant permission. Otherwise, I am satisfied that the access / parking arrangements as proposed, which are similar to those serving existing dwellings on this residential cul-de-sac, would not give rise to a significant traffic hazard.

7.7. Flooding (New issue)

- 7.7.1. The strategic flood risk assessment (SFRA) for the SDCCDP 2022-2028 indicates that the proposed development site is located within an area identified as being at risk of flooding. The relevant flood zone map (Sheet No.11) illustrates that the site falls

within both Flood Zone A (1%AEP Flood Extent) and Flood Zone B (0.1%AEP Flood Extent). As per the requirements of SDCDP 2022, development proposals on lands that may be at risk of flooding should be subject to a flood risk assessment.

- 7.7.2. No flood risk assessment has been submitted with the application.
- 7.7.3. In accordance with the details submitted, the finished floor level of the proposed dwelling has been raised by 300mm to provide flood defence. This proposal is made with reference to the SFRA for the South Dublin County Development Plan 2016-2022.
- 7.7.4. The SFRA for the South Dublin County Development Plan 2016-2022 (which was in effect at this time the application was lodged with the planning authority) states, in respect of RES zoned lands, that Flood Risk Assessments for developments should demonstrate that finished floor levels are designed for the 1% AEP (1 in 100 year) flood level plus an allowance for climate change and a minimum freeboard of 300mm.
- 7.7.5. The SFRA for the South Dublin County Development Plan 2022-2028 (now in effect) states, in respect of RES zoned lands, that flood risk assessment should examine residual risk associated with culvert blockages, defence failure and climate change (High End Future Scenario) to set finished flood levels where appropriate.
- 7.7.6. In the absence of a site-specific flood risk assessment, I am not satisfied that the development of this site as proposed would not have an adverse flood risk impact; in particular, I am not satisfied that the proposal to raise the finished floor level of the dwelling proposed would be sufficient to mitigate flood risk. I recommend that permission be refused on this basis. I note however that this is a new issue, and the Board may wish to seek the views of the parties.

7.8. Water Services

- 7.8.1. I note that both Irish Water and the Water Services Department of South Dublin County Council requested further information in relation to existing / proposed

connections to public services. I consider that this information could be provided by way of condition, should the Board decide to grant permission.

7.8.2. In relation to the management of surface water on site, I consider that proposals for the incorporation of sustainable urban drainage systems (SuDs) should be considered as part of a site-specific flood risk assessment.

7.9. Appropriate Assessment

Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location remote from any European site, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

8.1. I recommend that permission for this development be refused.

9.0 **Reasons and Considerations**

The proposed development is in an area which is deemed to be at risk of flooding, by reference to the current Development Plan for the area and the documentation on file. Having regard to the provisions of the Development Plan in relation to development proposals in areas at risk of flooding, it is considered that, in the absence of adequate information relating to the risk of flooding, analysis of such risk, and appropriate mitigating measures to address any risk. the proposed development would be contrary to the proper planning and sustainable development of the area.

Lucy Roche
Planning Inspector

7th November 2022