**MEETING OF DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL**

**11th May, 2015**

**Report submitted in accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001, as amended the Planning and Development Acts 2000, as amended, and Section 138 of the Local Government Act, 2001**

**Proposed Development: Proposed house at the corner site at Moreen Avenue/Blackthorn Green Sandyford, Co Dublin**

# 1. PC/H/01/15

In accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001, as amended, the Council gave notice of the proposed development in The Irish Independent on 12th February, 2015. Plans and particulars of the proposed development were available for inspection from 12th February, 2015 and up to and including 26th March, 2015 at the Housing & Community Department and Planning & Enterprise Department, County Hall, Marine Road, Dún Laoghaire between the hours of 10.00 a.m. to 4.00 p.m. and at the Council offices, Dundrum Office Park, Dundrum between the hours 9.30 a.m. to 12.30 p.m. and 1.30 p.m. to 4.30 p.m. Monday to Friday, excluding Bank Holidays and under dlr consultations on the Council’s website homepage [www.dlrcoco.ie](http://www.dlrcoco.ie).

Submissions and observations with regard to the proposed development could be made up to and including 9th April, 2015.

# 2. SITE LOCATION AND DESCRIPTION:

The site is a stated 357sqm and is located on a corner site with frontage along Blackthorn Green and Moreen Avenue. The proposed development section will be orientated onto Moreen Avenue with car parking in the front garden. The north elevation will follow the line of the footpath along Blackthorn Green, with a green belt being left as planted green verge.

It is currently laid out in grass, with tree and shrub planting. The site is bounded by public footpaths and roads to the north and west, a residential property to the south and a pedestrian laneway to the west.

# 3. ZONING AND OTHER OBJECTIVES:

The site is zoned objective ‘A’ – To protect and /or improve residential amenity under the Dún Laoghaire Rathdown County Development Plan 2010-2016.

# 4. DETAILED DESCRIPTION OF PROPOSED WORKS:

The proposed house is located on a corner site near the entrance into the Moreen Estate. The eastern front elevation will follow the established building line with the two storey gable fronted section projecting forward by 1.3m. A single storey block containing accessible bedroom and bathroom accommodation will run along the northern boundary, where a c.5m width will remain for the footpath and grass verge. The proposed development consists of a 180sq.m detached two storey house, 43sqm is provided as first floor bedroom accommodation with remainder being accessible ground level accommodation. Front and rear amenity space will be laid out in hard and soft landscaping. Boundary treatment is to consist of rendered blockwork walls. Steel gates are proposed to the vehicular entrance. The entrance width proposed is 3.8 metres.

The materials used will be brick and render with pitched slate roofs and two smaller sections of monopitch zinc roofing.

# 5. APPROPRIATE ASSESSMENT

The proposed development is subject to the Guidance for Planning Authorities on Appropriate Assessment of Plans and Projects in Ireland (Department of Environment, Heritage and Local Government, November 2009), and the Planning and Development (Amendment) (No. 3) Regulations, 2011. These require that screening is carried out for all projects to examine if any impacts are likely on Natura 2000 sites, that is , Special Areas of Conservation (SAC’s) and Special Protection Areas (SPA’s).

Scott Cawley Limited, has reviewed the proposed development with respect to the requirement for an Appropriate Assessment and submitted their report.

The report concluded that “there will not be a significant impact on the integrity of the European sites. The scale of this development is small, it is relatively remote from the nearest Natura 2000 sites and there is no ecological connectivity between the sites. Therefore it is recommended that a full Appropriate Assessment is not required.”

# 6. IMPLICATIONS OF THE PROPOSED DEVELOPMENT FOR THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA:

The Planning Department reports that while it is recognised that the existing green space provides amenity value to the existing residents in the area, it is not zoned as open space rather it is zoned to protect and / or improve residential amenity and residential development is permitted in principle at this location.

As aforementioned the proposed development breaks the building line on Blackthorn Green however this is limited to the single storey element and will not detract from the area in terms of visual or residential amenity.

It is considered that the proposed development gives cognisance to its receiving environment and will not have a significant impact on adjoining residential amenity by way of overlooking or overshadowing. It is noted that the site boundary is set back two metres from the public footpath on Blackthorn Green allowing tree planting between it and the public road. This will further aid its assimilation into this established housing development.

The proposal provides for private open space in excess of development plan standards and is considered acceptable. It is noted that the single storey element is located just over six metres from the rear boundary. This is considered acceptable given the rear boundary located adjacent to a pedestrian laneway.

# 7. INTERNAL REPORTS RECEIVED

**Transportation and Drainage Services:**

In correspondence dated 17.4.15, the Transportation Department had no objection to the proposal.

A report dated 10th December, 2014 surface water drainage report indicated that the proposal is acceptable.

**Planning Department:** In correspondence dated 9.1.15 the Planning Department had no objection to the proposal.

**Corporate Services and Human Resources Department – Property Management Section:** In correspondence dated 14.1.15 the Property Management Section raised no ownership issues as the Council have full title to the site and there are no legal inhibitions preventing the development.

**Parks and Landscape Services:** Report dated 9.12.14 states no objection to the proposal.

**Environmental Services Department:** In a report dated 16.12.14 the Environmental Services Department reported that they had no specific requirements other than adequate bin storage and access for presentation and collection.

**County Librarian:** In correspondence dated 9.12.14, the County Librarian raised no objections.

# 8. STATUTORY BODIES/ORGANISATIONS:

It is noted that Irish Water had no objection in relation to the proposed development.

# 9. SUBMISSIONS/OBSERVATIONS

## 9.1. Submissions

In accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001, as amended, the Council gave notice of the proposed development in the Irish Independent on Thursday, 12th February, 2015 indicating that submissions would be accepted up to and including Thursday, 9th April, 2015.

A site notice (in the prescribed format) was also erected on the site and maintained in place for the prescribed period. Twenty one submissions (including one petition) were received within the stipulated time period and are listed as follows:

## 9.2 TABLE A: List of persons/bodies who made submissions

|  |  |
| --- | --- |
| **No.** | **Name** |
| 1. | Helen & Antonio Morelli |
| 2. | Gerry McGinley |
| 3. | Lynda Freeney |
| 4. | Wayne O’Sullivan |
| 5. | Brian Mc Carthy |
| 6. | Douglas Doyle |
| 7. | David Owens |
| 8. | Martin O’Hanlon |
| 9. | Lesley O’Sullivan |
| 10. | Geraldine Martin |
| 11. | Julian Hills |
| 12. | Edward Dunne |
| 13. | Joanne Donagher Tonge |
| 14. | Petition from Residents  |
| 15. | Paul, Mary & Paula Murray |
| 16. | Angela McGrath  |
| 17. | Nuala Thomson |
| 18 | Samantha Devlin Kiernan |
| 19. | Christopher King |
| 20. | Sylvia & Maurice Brennan |
| 21. | Annesley & Fiona Barker |

Two late submissions were received after the prescribed time.

## 9.3 Summary of the issues raised in the submissions/observations received

The submissions received have been considered, pertinent issues raised and the Chief Executive’s responses are summarised as follows:

 Issue Response

|  |  |  |
| --- | --- | --- |
| 1 | The area is: * used as a play area/open space by children
* is an amenity enjoyed by residents/outdoor recreation
 | The area is zoned ‘A’ and not zoned for the purpose it is currently being used nor is it conditioned open space.An informal play area has evolved due to the presence of families with young children residing in the estate. There are a number of green spaces within this estate and a larger area at the back which are suitable for play, the area in question is not unique in this regard. |
| 2. | The development will detract from the area in terms of * Visual and residential amenity
* Devalue property.
* Loss of privacy
* Loss of natural daylight/sunlight
* Overlooking/overshadowing
* Scale/character/size of build
* Site elevations/roofs
* Name of Blackthorn Green
 | There is provision for a linear strip of open space with tree planting along Blackthorn Green which will soften the impact of the proposed new building as one enters the estate via Moreen Avenue. It is considered that the proposed development has been designed in a manner that is sensitive to its receiving environment and will not overlook or lead to loss of privacy, or will not detract from the area in terms of visual or residential amenity. Therefore it is not considered that the development will significantly depreciate the value of property in the vicinity. The proposed development is not intended to replicate other dwellings in the vicinity rather it is intended to harmonise with the established pattern of development. The proposed development will front onto Moreen Avenue and be in line with the numbering sequence on Moreen Avenue. |
| 3 | * Residents have maintained the green at their own expense
* Trees will be lost as part of the development/noise pollution as a result
* Landscaping
* Estate Management involvement.
 | It is noted that the green area was planted by the local residents and is quite attractive. It is noted that there will be some loss of existing residential and visual amenity, however, the site is zoned “A in the County Development Plan – to protect and/or improve residential amenity”, the current proposal is in keeping with this zoning objective and the Moreen/ Blackthorn Estate Management Forum are actively involved in various landscaping projects within the Moreen-Blackthorn Estate. The Estate Management Forum will continue to identify projects to enhance the physical environment of the locality. The loss of amenity is not considered to be so significant as to not allow this proposal to go forward. |
| 4 | Wrong site * more suitable sites in the estate
* design
 | The site is zoned “A in the County Development Plan – to protect and/or improve residential amenity”, the current proposal is in keeping with this zoning objective.  |
| 5 | * Traffic problems in the area
* increased traffic congestion,
* upheaval due to construction
* parking
* pedestrian crossing
* sightlines
 | The proposed dwelling is located in a residential area which should have a low speed environment. It is bounded by a footpath and verge area and will not adversely impact on sightlines. The proposed development provides for 2 no. off street parking spaces within the site curtilage and does not require removal of any permitted existing on-street parking. The potential traffic impact following occupation of this one additional dwelling on the existing residential area is not considered significant. |
| 6 | * Security
* Social problems
* Safety
* Laneway
 | The proposal does include a small extension to an existing laneway. It is not considered that this will add to social/security problems. |
| 7 | A disused shop and adjoining residential unit in the estate should be used | While the residential unit is boarded up and has been for some time the Council does not have vacant possession of these properties at this time. |
| 9 | Amenities rather than houses should be provided | There is a broadly accepted acute need for social housing in the Greater Dublin area. |

# 10. CONCLUSION:

The proposed development is in accordance with the zoning objective of the area as set out in the Dún Laoghaire-Rathdown County Development Plan, 2010-2016. The development accords with the proper planning and sustainable development and it will not detract from the area in terms of visual/residential amenity.

# 11. RECOMMENDATION:

The proposed development is considered to be in accordance with the provisions of the 2010-2016 Dún Laoghaire-Rathdown County Development Plan and with the proper planning and sustainable development of the area. It is recommended that a decision be made by the Elected Members of the Council to **proceed** with the proposed development in accordance with the drawings, which were on display and to any such minor or immaterial alterations to the plans and particulars of the development.

Subject to the above approval, members are hereby notified in accordance with Section 138 of the Local Government Act, 2001, of the intention to proceed with the proposed development.

Accordingly, it is recommended that the following resolution be passed by the Council:

“The foregoing report of the Chief Executive is **APPROVED** and it is **AGREED** to proceed with the proposed development in accordance with the drawings which were on display and any such minor and immaterial alterations to the plans and particulars of the development.”

Tom McHugh,

Director of Housing and Community