

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1280/21

Reg. Reference: SD21B/0268 **Application Date:** 12-May-2021

Submission Type: Additional Information **Registration Date:** 30-Aug-2021

Correspondence Name and Address: Peter Kavanagh, DublinPlanning.ie 77, Lower Camden Street, St. Kevin's, Dublin 2

Proposed Development: Ground floor extension to side; widen driveway entrance and pavement dish to front; new access gates and pavement dish to side with associated site works.

Location: 1, Sundale Close, Dublin 24

Applicant Name: Ewa Berthold

Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Description:

This site accommodates a 2-storey, semi-detached house on a corner site, which has been extended to the side previously, with a 2-storey side extension which is stepped back from the front building line. The house has a pitched roof (with subordinate pitched roof over the extension), with a front-facing semi-gable on both the main body of the house and the extension.

The house is accessed from the front with a vehicular access. The site sides onto Sundale Close, where there is a continuous grass verge and the street has regular tree cover. The footpath along the side of the site is overlooked by houses on the western side of the street.

The main body of the house is typical of other houses in the area. The extension retains this character with similar material and design features. The house is clad with bricks at ground level and render at first floor level, with mock Tudor details around the first floor windows under the semi-gable features.

Site Area: 0.036 Ha.

Site Visit: 7/6/2021

Proposal:

- Ground floor extension to side;
- widen driveway entrance and pavement dish to front;
- new access gates and pavement dish to side with associated site works.

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Zoning

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

Consultations:

| | |
|------------------------|--|
| Roads | Recommends Alterations by Condition. |
| Environmental Services | Recommends request for Additional Information. |
| Irish Water | No objection, subject to conditions. |

Screening for Strategic Environmental Assessment

None.

Submissions/Observations /Representations

None.

Relevant Planning History

S99B/0263 – Permission granted for Two storey extension to the side of existing dwelling. This is in place on the site.

Relevant Enforcement History

None found in preliminary search.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Council Development Plan 2016-2022

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.

South Dublin County Council House Extension Design Guide (2010)

National Guidelines & Policy relevant to Development Management in SDCC

Ministerial Guidelines and Policy

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

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

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

Rebuilding Ireland: Action Plan for Housing and Homelessness, Government of Ireland (2016).

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

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).

Urban Development and Building Heights Guidelines for Planning Authorities, (2018)

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

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

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

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Departmental Circulars, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL08/2020: Vacant Site Levy

Circular NRUP 02/2021 - Residential Densities in Towns and Villages

Assessment

The main issues for assessment are:

- Zoning and Council policy;
- Visual impact and Residential amenity;
- Access, Transport and Parking
- Water services;
- Environmental impact assessment;
- Appropriate assessment.

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Zoning and Council Policy

The site is located in an area which is subject to zoning objective 'RES' – '*To protect and/or improve Residential Amenity*'. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 which relates to extensions to dwellings.

Visual Impact

The proposed development would extend the house to the side, with a single storey annex with pitched roof. The applicant proposes to use matching brick finish to the front, matching roof tiles and matching render finish to the side and rear. The existing boundary wall to the side is about 2.2m in height and steps down with the ground level. By comparison, the eaves level of 2.4 metres above ground, and ridge height is about 4 metres. The single-storey side gable is blank and almost flush with the boundary wall, which will remain in place.

The extension would accommodate an additional living room. It would prevent access to the rear from the existing entrance, but such access would be provided by an additional vehicular access.

There are a number of notes to make about this design. Firstly, the house has been extended previously, and this will add a third wing, of a different scale and form to the first two, onto the side of the house. This has the potential to appear as haphazard development which might be detrimental to the character of the area; however, the use of matching materials should mitigate the additional mass and change of form.

Secondly, the extension being flush with the side boundary and being blank does not entirely accord with policy in the County Development Plan seeking privacy strips and the avoidance of dual frontage. In this instance, however, the blank façade is small in scale and adjoins a streetscape that is overlooked by houses opposite. If remaining blank, the façade can also be allowed to abut the boundary as there are no concerns about privacy – notwithstanding other concerns under 'water' below.

Overall, the proposed extension would be acceptable, as it would not have such a detrimental impact as to be seriously injurious to adjoining properties or the residential character of the area.

Subdivision

There is potential for the subdivision of the dwelling, facilitated by this development through the additional floorspace and site access to the side. Subdivision of this site is not entirely contrary to the South Dublin County Development Plan 2016 – 2022, if it can be shown in an application for the same, that each unit would have adequate residential amenity. In this case, however, the applicant has applied for an extension to a single dwelling. Subdivision of the site should be prevented by way of a **condition** of permission that the dwelling shall not be subdivided for the purpose of letting or sale.

Private Amenity Space

It appears that the unit would retain adequate private amenity space. However, a more detailed layout would need to be provided on the parking arrangements proposed inside the vehicular access.

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Shed

There is a shed currently under construction labelled on the plans. This should form part of the development, as conterminous development on the site should all be included in an application for non-exempt development requiring planning permission. The applicant should provide plans and elevations of the shed by **additional information**.

Bin Storage

The Roads Department are seeking the omission of the additional site access. If the development were so provided, the access to the rear would be closed. The applicant should provide proposals for the storage of bins to the front or provide for a pedestrian side access, by way of **additional information**.

Access, Transport and Parking

The Roads Department has recommended against the additional site access on the grounds of traffic safety and visibility, the access being compromised by the 2-metre boundary walls. The report also warns against the precedent it would set for proliferation of such additional entrances. The report recommends a condition which would omit the site access.

The report also recommends that the concrete drive apron to the front should not be widened, in order to protect a mature street tree.

The report recommends conditions to omit the site access and also cut the box hedge to a height of 900mm to improve forward visibility for vehicles.

It is considered appropriate to limit impact on street trees and to omit a site access that would cause traffic hazard. The condition in relation to cutting of the box hedge is not enforceable and should not form part of the final decision.

The applicant can address the question of the site access by **additional information**, if they wish to provide a non-vehicular pedestrian access.

Water

The Environmental Services Department has sought additional information as follows:

“South Dublin County Council records show that there is an existing 225mm public surface water sewer traversing parallel to the outer southern boundary of the site. The proposed development is in close proximity to the surface water sewer at approximately 2.1m. Ordinarily the minimum setback distance required from buildings to the centreline of the 225mm surface water sewer is 3m to allow adequate access for maintenance works and to avoid loading from structures being imposed onto the sewer. The applicant is required to submit a revised layout design such that the proposed extension is a minimum of 3m away from the centreline of the 225mm surface water sewer.”

Irish Water has stated no objection subject to standard conditions.

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It is considered appropriate to seek **additional information** in relation to the issue raised by Water Services. The applicant should provide revised plans, or survey the location of the pipe and provide section drawings and a report by a suitably qualified engineer, to show that the structure would not impact the adjoining pipe.

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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Other Considerations

Development Contributions

This is an application for a residential extension of 23sq.m. There is a previous extension which exceeds 40sq.m in size.

The assessable area is therefore 23sq.m.

SEA Monitoring

| SEA Monitoring Information | |
|-----------------------------------|--------------------------|
| Building Use Type Proposed | Floor Area (sq.m) |
| Residential | 23 |
| Land Type | Site Area (Ha.) |
| Brownfield/Urban Consolidation | 0.036 |

Conclusion

The proposed development may be acceptable in principle, subject to the omission of the second site access. The applicant should provide additional information in relation to water services and the shed being provided alongside the development. The applicant may also wish to provide alternative proposals for a non-vehicular access to the side of the site.

Recommendation

Request Further Information.

Further Information

- Further Information was requested on 06/07/2021.
- Further Information was received on 30/08/2021.

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The following Further Information was requested.

Item 1: Water Services

South Dublin County Council records show that there is an existing 225mm public surface water sewer traversing parallel to the outer southern boundary of the site. The proposed development is in close proximity to the surface water sewer at approximately 2.1m. Ordinarily the minimum setback distance required from buildings to the centreline of the 225mm surface water sewer is 3m to allow adequate access for maintenance works and to avoid loading from structures being imposed onto the sewer.

The applicant is requested to submit a revised layout design such that the proposed extension is a minimum of 3m away from the centreline of the 225mm surface water sewer. Alternatively, the applicant may provide survey information and cross-section drawings of the proposed development and the pipe, and assessment by a suitably qualified engineer as to whether the development would result in increased loading to the sewer.

Item 2: Site Access.

The Roads Department has recommended the omission of the additional access, stating: 'The forward visibility is compromised due to the high boundary walls. This proposal adds a significant traffic hazard for pedestrian's and road users.' The applicant is requested to remove the additional vehicular access and submit revised plans and elevations clearly showing this.

If the development were so-provided without an additional access, external access to the rear of the site would be closed off by the new extension. The applicant should provide proposals for the storage of bins to the front, or provide for a pedestrian side access, by way of additional information.

Item 3: Shed

There is a shed currently under construction labelled on the plans. This should form part of the development, as conterminous development on the site should all be included in an application for non-exempt development requiring planning permission. The applicant is requested to provide plans and elevations of the shed by additional information.

Further Consultations

Surface Water Drainage – **Refusal Recommended**

Roads Department – No objections subject to **conditions**.

Further Submissions/Observations

None.

Assessment

Item 1: Water Services

The applicant has submitted a cover letter and revised drawing in an attempt to address this request for further information. The engineers drawing submitted contains a foundation detail to address the location of the drain in the footpath. Surface Water Drainage have reviewed the additional information submitted and have issued a report recommending **refusal** based on inadequate setback distance. An extract taken from the report can be seen below:

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*Surface Water Report: Recommendation: **Refusal***

1.1 The revised proposals include mitigation measures to alleviate loading being imposed from the development onto the existing 225mm surface water pipe to the south of the dwelling however the minimum proposed clear setback distance of approximately 2.1m is still inadequate for maintenance access purposes. In this instance given the location and approximate depth of the existing surface water pipe a minimum set back distance of 3m from buildings to the outside diameter of the 225mm surface water sewer is required to allow adequate access for possible emergency maintenance works.

Refusal is recommended as the development would be prejudicial to public health and proper planning and would result in inadequate space to allow for access to the existing surface water sewer for emergency maintenance purposes or in the event that the sewer required replacing.

The Planning Authority considers the applicant has not satisfactorily responded to the request for further information.

Item 2: Site Access

The applicant has submitted a cover letter and revised drawing in an attempt to address the request for **additional information**. The applicant states that the vehicular access has been removed and replaced with a pedestrian entrance and there is an area provided to the front for bin storage (dwg F1-01). The Roads Department have reviewed the additional information submitted and have issued a report recommending no objections subject to **conditions**. An extract taken from the report can be seen below:

Roads Department Assessment:

The proposed vehicular entrance to the side has been omitted, and a pedestrian entrance has been proposed there instead, as was requested by way of AI.

Roads Department is satisfied with the pedestrian access as proposed, and with the Bin Storage as per dwg supplied.

No Roads objections subject to the following conditions:

- 1. New pedestrian side entrance width to be no greater than 900mm.*
- 2. As per previous Roads Report: The existing vehicular access to the front shall not be widened in order to protect the mature tree in the verge, and to **remain at 3100mm** in width. The entrance apron shall therefore not be widened and/or dished.*
- 3. The boundary walls at the front vehicular access 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 ensure forward visibility for vehicles.*
- 4. Any gates shall open inwards and not out over the public domain.*
- 5. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*

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The Planning Authority considers the applicant has satisfactorily responded to the request for further information. However, it is considered that condition 5 of the Roads report is unenforceable.

Item 3: Shed

The applicant has submitted a cover letter and revised drawing (dwg F1-01) in an attempt to address the request for **additional information**. The drawings show plans and elevations for the shed under construction on the common boundary. The shed will have a mono-pitch roof and the maximum height of the shed will be c.2.51m along the common boundary with the immediate neighbour to the west. This is not considered to have a significant adverse impact on residential and visual amenity. The Planning Authority considers the applicant has satisfactorily responded to the request for further information.

Other Considerations

Development Contributions

This is an application for a residential extension of 23sq.m. There is a previous extension which exceeds 40sq.m in size.

The assessable area is therefore 23sq.m.

SEA Monitoring

| SEA Monitoring Information | |
|-----------------------------------|--------------------------|
| Building Use Type Proposed | Floor Area (sq.m) |
| Residential | 23 |
| Land Type | Site Area (Ha.) |
| Brownfield/Urban Consolidation | 0.036 |

Conclusion

The revised proposal would not be in the interest of proper planning and sustainable development and would be prejudicial to public health due to inadequate space to allow for access to the existing surface water sewer for emergency maintenance purposes or in the event that the sewer required replacing. It is noted that there are options to amend the proposal and the applicant is afforded a final opportunity to liaise with the Water Services Department and amend the footprint of the proposed development. Clarification is recommended.

Recommendation

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

1. The applicant is advised that the revised proposals submitted as further information include mitigation measures to alleviate loading being imposed from the development onto the existing 225mm surface water pipe to the south of the dwelling is still inadequate for maintenance access purposes. In this instance, given the location and approximate depth of the existing surface water pipe, a minimum set back distance of 3m from buildings to the outside diameter of the 225mm surface water sewer is required, to allow

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adequate access for possible emergency maintenance works. This has not been achieved. The applicant is advised that the Water Services Section has recommended refusal of planning permission. The applicant is requested to consider further liaising with the Water Services Section in relation to the protection of the sewer and consider amendments to the footprint of the proposed development.

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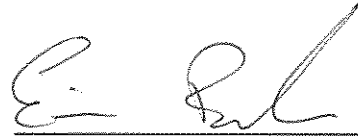
REG. REF. SD21B/0268

LOCATION: 1, Sundale Close, Dublin 24


Jim Johnston,
Senior Executive Planner

ORDER: I direct that **CLARIFICATION OF ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Dated: 27/9/21


Eoin Burke, Senior Planner