

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

### PR/1442/21

**Reg. Reference:** SD21B/0064      **Application Date:** 12-Feb-2021  
**Submission Type:** Clarification of      **Registration Date:** 07-Oct-2021  
Additional  
Information

**Correspondence Name and Address:** Rory O'Brien 9, Ardeevin Drive, Lucan, Co. Dublin

**Proposed Development:** Alterations to existing dwelling to include demolition of existing single storey garage; single storey rear extension and garden shed; removal of first floor dormer and chimney; new external insulation ; new windows and roof windows; new dormer to the west; construction of new two storey extension to the east and a single storey extension to the rear of the site; overall increase of the floor area will be 86.55sq.m; all associated site works.

**Location:** 9, Ardeevin Drive, Lucan, Co. Dublin

**Applicant Name:** Rory O'Brien

**Application Type:** Permission

(EW)

### Description of Site and Surroundings:

Site visit: 18/05/2021

Site Area: 0.0619 Hectares.

### Site Description:

The site is located within Ardeevin Drive, Lucan. The existing dwelling is a detached gable fronted two-storey, bungalow dwelling. The dwellings within the estate have a standard character. The street is characterised by mature planting, which adds to the visual amenity and private amenity of the area.

### Proposal:

Alterations to existing dwelling to include:

- Demolition of existing single storey garage;
- Construction of a single storey rear extension and garden shed;
- Removal of first floor dormer and chimney; new external insulation; new windows and roof windows; new dormer to the west;

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- Construction of new two storey extension to the east and a single storey extension to the rear of the site; overall increase of the floor area will be 86.55sq.m; all associated site works.

### **Zoning:**

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity'.

### **Consultations:**

*Surface Water Drainage* – Recommend Refusal.

There is an existing 225mm public surface water sewer traversing the site to the east. The proposed development is too close to the surface water sewer at approximately 2m.

*Irish Water* – Additional Information.

Irish Water records show that there is an existing 225mm public wastewater sewer traversing the site to the east.

*SEA Sensitivity Screening* – No overlap indicated.

### **Submissions/Observations /Representations**

Submissions were submitted from third parties. The main issues raised are summarised below:

- Adjacent dwelling, No. 7 Ardeevin Drive, Lucan, welcomes the renewal of the property but have concerns of overlooking from the proposed western dormer window to the side of the property. The proposed dormer looks directly into the kitchen and side area of No.7 and would have a negative impact on the privacy of this property.
- Ardeevin Residents Association state the houses are not two storey. Issues of overlooking to neighbouring properties to the west are envisaged and the proposal sets an undesirable precedent. Refusals have been evident in the past.

The issues raised in the third-party submissions have been considered in assessing this planning application.

### **Relevant Planning History**

None recorded for subject site.

### **Adjacent Sites:**

SD04B/0465 - No 17, Ardeevin Drive, Lucan, Co Dublin. SDCC **Granted Permission** for the construction of 2 storey extension to rear and alterations to existing dwelling to include: demolition of existing extension to rear, modifications to existing extension to side, additional dormer and new 'Velux' roof lights to existing roof and associated site works.

### **Relevant Enforcement History**

None recorded for subject site

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### Pre-Planning Consultation

None recorded for subject site

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

#### *Section 2.4.1 Residential Extensions*

Policy H17 – Residential Consolidation:

It is the policy of the Council to 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.

H17 Objective 1: To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

#### *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.

#### *Policy H18 Objective 2:*

- 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 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

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

#### Front extensions:

- *Keep the extension simple and complementary to the style of the house by reflecting the style and details of the main house, e.g. window location, shape, type, proportion and sill details.*
- *Avoid building an extension more than 1.5m in front of the existing front wall of the house if there is a regular building line along the street.*

#### Side extensions:

- If the house is detached or on a large site or in a prominent location such as the corner of a street, it may be appropriate to consider making a strong architectural statement with the extension.
- Where the extension is to the side of a house on a corner plot, it should be designed to take into account that it will be visible from the front and side. The use of blank elevations will be unacceptable and a privacy strip behind a low wall, hedge or railings

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should be provided along those sections of the extension that are close to the public pavement or road.

- Match or complement the style, materials, and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.
- Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.
- Do not incorporate blank gable walls where extensions face onto public footpaths and roads.
- Avoid the use of prominent parapet walls to the top of side extensions.

### 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.*

*Section 4: Do not overlook, overshadow or have an overbearing impact on neighbouring properties.*

- It is important to take account of any significant changes in site level between neighbouring properties, and the orientation of the properties and proposed extension, as these factors may increase or decrease the overbearing or overshadowing impact.

### Relevant Government Guidelines

*Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government (2008).

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

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

### Assessment

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity,
- Service water and drainage.

### *Zoning and Council Policy*

The development comprising a side and rear extension is consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan 2016-2022 and the House Extension Design Guide. The change of use is considered acceptable.

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### *Residential & Visual Amenity*

The proposal in principle is considered acceptable, however the main issues for consideration are compliance with Council policy and impact on residential/visual amenity. The proposed development is in an area with a zoning objective RES - 'To protect and/or improve Residential Amenity'.

### Western Side Dormer Window

It is considered that the close proximity to the neighbouring dwelling to the west may cause undue overlooking and have a negative impact on the privacy of No. 7 Ardeevin Drive. The dormer extension would be viewed directly from the ground floor windows of No.7 and from the private amenity space to the side of the property. Thus, the proposal would contravene the zoning objective which seeks 'To protect and/or improve Residential Amenity' under the South Dublin County Council Development Plan 2016-2022.

The applicant should be given the opportunity to address the design by way of **Additional Information**. Having regard to Dormer Extensions' of the South Dublin County Council House Extension Design Guide (2010)

### Eastern Side Extension

Having regard to the height and depth of the extension along the eastern boundary with No.11 Ardeevin Drive, it is considered that the proposed extension may be significantly injurious to the amenities of No.11, from loss of light and privacy. The extension would reduce the amount of light and privacy to the habitable room windows of the ground floor despite the fact that the habitable room windows are set in from the boundary. It is considered that the height and scale of the side extension would also appear unbalanced when viewed from the main road and is not considered subservient to the main dwelling. Thus, the proposal would contravene the zoning objective which seeks 'To protect and/or improve Residential Amenity' under the South Dublin County Council Development Plan 2016-2022.

The applicant should be given the opportunity to address the design by way of **Additional Information**. Having regard to Section 4 Side Extensions' of the South Dublin County Council House Extension Design Guide (2010)

### Rear Extension

Having regard to the substantial depth of the proposed rear extension that projects 6.4m from the rear building line and combined with the proposed eastern side extension is a total of 14.4m, it is considered that the overall length of the rear structure would be visually obtrusive and impact negatively on the amenities of the property at No.11 Ardeevin Drive. Thus, the proposal would contravene the zoning objective which seeks to 'To protect and/or improve Residential Amenity' under the South Dublin County Council Development Plan 2016-2022.

The planning authority is not opposed to a substantially reduced rear extension. The applicant should be afforded an opportunity by **Additional Information** to reduce the depth, size and overall impact of the proposed side/rear extension and should, as a minimum, not extend beyond

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4m from the existing rear building line of the dwelling. This is in order to be consistent with the guidance set out in Section 4 of the South Dublin County Council House Extension Design Guide (2010) *Do not overlook, overshadow or have an overbearing impact on neighbouring properties*. Furthermore, the reduction in the length of the proposed rear extension will provide rear amenity that is required (see Rear Amenity Space section of this report, below)

The proposed extension would fail to appear subservient to the main dwelling and would not complement it by its symmetry. It is considered that a two-storey side extension and a single storey rear extension that is significantly reduced in depth could be accommodated on this site provided the above issues are addressed. In this context the applicant is required to address this by **Additional Information**.

### Rear Amenity Space

The proposal would result in the substantial loss of existing rear garden space. The 86.55sq.m extension provides circa. 45.68sq.m of left over private rear open space. The minimum private open space requirement in Table 11.20: *Minimum Space Standards for Houses* in the County Development Plan is 60sq.m for a three-bed dwelling and the minimum standard is not achieved. It is considered that the proposed development would not provide sufficient residential amenity for future occupants and therefore would be contrary to the Development Plan provisions.

The applicant should be given the opportunity to address the design by way of **Additional Information**. Having regard to rear amenity space of the South Dublin County Council Development Plan.

### *Services & Drainage*

Water Services recommend refusal as follows:

South Dublin County Council records show that there is an existing 225mm public surface water sewer traversing the site to the east. The proposed development is too close to the surface water sewer at approximately 2m. The nearest point of the building must not fall within a 45-degree line of influence from the base of the pipeline trench to avoid loading from structures being imposed onto the sewer. In this instance this requires a minimum set back distance of 4m from buildings to the outside diameter of the 225mm surface water sewer to allow adequate access for maintenance works and to avoid loading from structures being imposed onto the sewer.

1.2 The applicant has shown the surface water run-off from the proposed development to be connected into a combined drainage network. This is not acceptable as foul and surface water drainage systems must be designed to discharge to separate pipe networks. The applicant is required to submit a revised surface and foul water drainage layout drawing for the proposed development clearly showing that the foul and surface water drainage systems are discharging to separate pipe networks. This should be achieved via the use of further Sustainable Drainage Systems (SuDS)

**Refusal is recommended** as the development would be prejudicial to public health and proper planning and would result in adverse effects to the structural integrity of the adjacent surface

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water sewer. The development would also result in inadequate space provided to allow for access to the sewer for maintenance purposes or in the event that the sewer required replacing. Notwithstanding the Refusal Reason from the Surface Water Drainage Department and having regard to the above side/rear extension design changes requested, the applicant should be given the opportunity to address this reason for refusal by way of **Additional Information**.

Irish Water recommends Additional Information subject to following:

The applicant shall engage with Irish Water by submitting a pre-Connection Enquiry (PCE) to assess feasibility of connection to the public water/wastewater infrastructure. The outcome of the PCE is to be submitted as a response to RFI.

- The applicant shall engage with Irish Water's Diversions Section to assess feasibility of existing design and an alternative design which accommodates IWs minimum required separation distances from public infrastructure. The outcome of this engagement with Irish Water's diversions shall be submitted as a response to RFI.
- The applicant is required to submit a revised surface and foul water drainage layout drawing for the proposed development clearly showing that the foul and surface water drainage systems are discharging to separate pipe networks.

The above **conditions** shall apply in the event of a grant of permission.

### *Screening for Appropriate Assessment*

Having regard to the scale and nature of the development, connection to public services and the distance from Natura sites, it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

### *Environmental Impact Assessment*

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### *Development Contributions*

#### **Development Contributions Assessment Overall Quantum**

|                     |           |
|---------------------|-----------|
| Proposed Extension: | 86.55sq.m |
| Assessable Area:    | 46.55sq.m |

### **SEA Monitoring Information**

|  |                  |
|--|------------------|
| Building Use Type Proposed:                | Residential      |
| Floor Area:                                | 86.55sq.m        |
| Land Type: Brownfield/Urban Consolidation. |                  |
| Site Area:                                 | 0.0619 Hectares. |

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### Conclusion

Having regard to the depth and scale of the development and its proximity to neighbouring properties private amenity space and habitable room windows, and also regard to the excessive depth of the proposed single storey rear extension which would delineate the rear open space, in conjunction with and the concerns from the water departments, it is deemed appropriate to request **Additional Information**.

### Recommendation

Request Further Information.

### Further Information

Further Information was requested on 08/04/2021

Further Information was received on 07/05/2021

### Consultations

*Surface water* – 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 maintenance purposes or in the event that the sewer required replacing.

### Submissions/Observations

No further submissions/observations received.

The Further Information requested is as follows:

1. South Dublin County Council records show that there is an existing 225mm public surface water sewer traversing the site to the east. The proposed development is too close to the surface water sewer at approximately 2m. The nearest point of the building must not fall within a 45-degree line of influence from the base of the pipeline trench to avoid loading from structures being imposed onto the sewer. In this instance this requires a minimum setback distance of 4m from buildings to the outside diameter of the 225mm surface water sewer to allow adequate access for maintenance works and to avoid loading from structures being imposed onto the sewer. Notwithstanding the existing structure, the proposed rear extension could potentially exacerbate any negative impacts and in the interests of public health should be redesigned and relocated away from this 225mm surface water. The applicant is therefore requested to reconsider the proposed design and submit the following:
  - A revised layout that would not be prejudicial to public health and would have a setback distance of 4m from proposed extension to the outside diameter of the 225mm surface water sewer to allow adequate access for maintenance works and to avoid loading from structures being imposed onto the sewer.
  - A revised surface and foul water drainage layout drawing for the proposed development clearly showing that the foul and surface water drainage systems are discharging to separate pipe networks. This should be achieved via the use of further Sustainable Drainage Systems (SuDS)



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Prior to replying to this Additional Information request, you should take the opportunity to liaise with the Environment Department.

2. The Planning Authority also has significant concerns with regards to the length of the single storey rear extension (6.4m long) and its impact on neighbouring residential amenity, loss of rear private amenity space and the visual impact of the extension. The applicant is therefore requested to review the SDCC House Extension Design Guide and submit a revised design with the following requirements:
  - The proposed extension should be reduced in length and should not extend further than 4m beyond the original rear building line of the house.
3. The proposed development would result in the substantial loss of existing rear garden space and it is considered that sufficient space is not provided to achieve an acceptable residential amenity for future occupants. The applicant is requested to delineate and state the remaining rear amenity space in the context of a revised proposal. Please note the private open space requirements for dwellings in the County Development Plan and provide a detailed rationale for any reduction below the stated minimums.
4. The applicant is advised that the Planning Authority has concerns in relation to the design of both side dormer extensions, in particular their close proximity to the neighbouring dwellings to the west and east, which may cause undue overlooking and have a negative impact on the privacy of the adjacent properties. The height and scale of the eastern dormer extension (Walk in Wardrobe) is of particular concern as, from the drawings it appears unbalanced when viewed from the main road and is not considered subservient to the main dwelling. The applicant is requested to submit revised dormer designs that are consistent with the requirements of 'Dormer extensions' of the South Dublin County Council House Extension Design Guide (2010) and submit a rationale for the proposed re-design. Revised floor plans, sections and contiguous elevations should be submitted with the additional information response.
5. The applicant is requested to submit a revised site layout plan at a scale of 1:500 clearly showing development in the immediate vicinity of the subject site, in particular existing housing development to the rear of the site. This is to ensure that a full assessment can be made and in the interests of clarity.

### ***Item 1***

South Dublin County Council records show that there is an existing 225mm public surface water sewer traversing the site to the east. The proposed development is too close to the surface water sewer at approximately 2m. The nearest point of the building must not fall within a 45-degree line of influence from the base of the pipeline trench to avoid loading from structures being imposed onto the sewer. In this instance this requires a minimum set back distance of 4m from buildings to the outside diameter of the 225mm surface water sewer to allow adequate access for maintenance works and to avoid loading from structures being imposed onto the sewer.

Notwithstanding the existing structure, the proposed rear extension could potentially exacerbate any negative impacts and in the interests of public health should be redesigned and relocated

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away from this 225mm surface water. The applicant is therefore requested to reconsider the proposed design and submit the following:

- A revised layout that would not be prejudicial to public health and would have a setback distance of 4m from proposed extension to the outside diameter of the 225mm surface water sewer to allow adequate access for maintenance works and to avoid loading from structures being imposed onto the sewer.
- A revised surface and foul water drainage layout drawing for the proposed development clearly showing that the foul and surface water drainage systems are discharging to separate pipe networks. This should be achieved via the use of further Sustainable Drainage Systems (SuDS) Prior to replying to this Additional Information request, you should take the opportunity to liaise with the Environment Department.

### Assessment

The applicant has submitted drainage drawings with a cover letter from the applicant *Rory O'Brien* dated 7<sup>th</sup> May 2021. The applicant has noted that the drainage layout has been prepared by a civil engineer that shows a separate foul and water discharge. The applicant also states that the design of the soak pit will be completed by *Hanley Pepper Consulting Engineers*. Irish Water web map and underground services layout drawing ref. 1120 also accompanied the submission.

The above items are not satisfactory as per the Drainage Department report and a refusal of permission is recommended for the following reasons:

1.1 The revised proposals include mitigation measures to alleviate loading being imposed from the development onto the existing surface water pipe to the east of the dwelling however the minimum proposed clear setback distance of approximately 2.5m is still inadequate for maintenance access purposes. In this instance given the location and depth of the existing surface water pipe a minimum set back distance of 4m from buildings to the outside diameter of the 225mm surface water sewer is required to allow adequate access for maintenance works.

1.2 The revised proposals show that the surface water run-off from the proposed development to be connected into a combined drainage network via an overflow pipe from the proposed soakaway. This is not in compliance with the Greater Dublin Regional Code of Practice for Drainage Works or Irish Water requirements with regards to complete separation of surface and foul water drainage systems. Therefore, written agreement from Irish Water is required to be submitted which clearly states that Irish Water are in agreement with the applicant's proposal to connect an overflow pipe from the proposed soakaway into the existing combined drainage system on site.

1.3 The applicant has proposed a soakaway for the proposed surface water drainage design however there are no soil percolation test results or design calculations submitted for the proposed soakaway. A report is required showing site specific soil percolation test results and

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design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

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 maintenance purposes or in the event that the sewer required replacing.

Having regard to the serious concerns and refusal recommendation of the Water Services Department. The applicant shall be requested by **Clarification of additional information** to satisfactorily address the items of concern by the Drainage Department and Irish Water and if required to liaise directly with the departments prior to re-submission of CAI.

### ***Item 2***

The Planning Authority also has significant concerns with regards to the length of the single storey rear extension (6.4m long) and its impact on neighbouring residential amenity, loss of rear private amenity space and the visual impact of the extension. The applicant is therefore requested to review the SDCC House Extension Design Guide and submit a revised design with the following requirements:

- The proposed extension should be reduced in length and should not extend further than 4m beyond the original rear building line of the house

### Assessment

The applicant has submitted drawing ref *1001, 1002 and 1003* titled *Proposed Site plan, open space plan and site block plan* with a cover letter from the applicant *Rory O'Brien* dated 7<sup>th</sup> May 2021. The applicant outlines the justification and the rationale for the 6.4m extension. In the cover letter the applicants state the neighbouring property at No.11 Ardeevin Drive is screened from the east facing windows by the existing boundary wall and that the extension is 2.28m away from the boundary wall. The applicant notes that the neighbours at No.11 Ardeevin have been consulted and that the extension will not cause any overshadowing of the site to the east. It is also noted that No. 11 has an L shaped rear extension that was not outlined on previous submitted drawings. The rear sites are angled that east boundary at No.9 intersects cross diagonally to No. 11 and the applicant notes that the distance of 1.3m north and 2.5m further south on the eastern side of the property.

The applicant's additional information submission via submitted drawing ref *1001, 1002 and 1003* clarifies and now satisfactorily addressed the items of concern by the planning authority and the applicant's justification and the rationale for 6.4m extension are considered acceptable.

### ***Item 3***

The proposed development would result in the substantial loss of existing rear garden space and it is considered that sufficient space is not provided to achieve an acceptable residential amenity for future occupants. The applicant is requested to delineate and state the remaining rear amenity space in the context of a revised proposal. Please note the private open space requirements for dwellings in the County Development Plan and provide a detailed rationale for any reduction below the stated minimums.

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### Assessment

The applicant has submitted drawing ref 1002 titled *open space plan and site block plan* drawing with a cover letter from the applicant *Rory O'Brien* dated 7<sup>th</sup> May 2021.

The applicant outlines the justification and the rationale for open space with the demolishing of 32sq.m of existing dwelling and 6.6sq.m of rear garden shed. The applicant states that the current usable rear garden space is circa 228sq.m. The proposed rear garden area will be circa 186sq.m with the loss of 42sq.m. It is noted that side of the dwelling in total will amount to 251sq.m. Whilst the areas of space at the side of the property have not been taken into account, the amount of rear amenity space would exceed the private open space requirements for a three bed dwelling in the County Development Plan and therefore this is considered acceptable.

### *Item 4*

The applicant is advised that the Planning Authority has concerns in relation to the design of both side dormer extensions, in particular their close proximity to the neighbouring dwellings to the west and east, which may cause undue overlooking and have a negative impact on the privacy of the adjacent properties. The height and scale of the eastern dormer extension (Walk in Wardrobe) is of particular concern as, from the drawings it appears unbalanced when viewed from the main road and is not considered subservient to the main dwelling. The applicant is requested to submit revised dormer designs that are consistent with the requirements of 'Dormer extensions' of the South Dublin County Council House Extension Design Guide (2010) and submit a rationale for the proposed re-design. Revised floor plans, sections and contiguous elevations should be submitted with the additional information response.

### Assessment

The applicant has submitted drawing ref 1201 titled *proposed sections* with a cover letter from the applicant *Rory O'Brien* dated 7<sup>th</sup> May 2021.

The applicant has reduced the height of the eastern roof extension (Walk in Wardrobe) by 340mm. The windows would not be frosted to avoid overlooking to the east. However, there are still concerns with the visual impact of the proposal given the scale and mass of the roof extension. The roof extension is proposed to accommodate a walk in wardrobe and not a habitable room. It is not considered that the applicant's response has provided sufficient justification for an extension of this size in their response. The applicant is therefore requested to submit a revised design removing the first floor extension and replacing it with a dormer window similar to the dormer on the western side of the house, which would still provide space for a walk in wardrobe. It is recommended that this is sought as a **clarification of additional information**.

The applicant has changed the dormer structures to the west to have two bathrooms and states that the windows would be frosted to prevent any overlooking to neighbouring properties. The applicant has also moved the western dormer window to comply with the three tile courses from the eaves as per requirements for 'Dormer extensions' of the South Dublin County Council House Extension Design Guide (2010) and therefore this is considered acceptable

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### *Item 5*

The applicant is requested to submit a revised site layout plan at a scale of 1:500 clearly showing development in the immediate vicinity of the subject site, in particular existing housing development to the rear of the site. This is to ensure that a full assessment can be made and in the interests of clarity

### Assessment

The applicant has submitted drawing ref 1003 titled *site block plan* with a cover letter from the applicant *Rory O'Brien* dated 7<sup>th</sup> May 2021.

The applicant has illustrated the existing and proposed development in context to the adjacent existing housing development 'Leixlip Road' to the rear of the site. The applicant has now demonstrated that no negative impact is envisaged on these properties to the north of the site.

### Conclusion

Having regard to the serious concerns and refusal recommendation of the Water Services Department as well as the visual impact of the proposed roof extension on the eastern side of the house, the applicant is requested by **Clarification of additional information** to satisfactorily address the items of concern.

### Recommendation

Seek Clarification of Further Information.

### Clarification of Further Information

Clarification of Further Information was requested on 03/06/2021

Clarification of Further Information was received on 07/10/2021

### Consultations

*Surface water* – No objections subject to conditions.

*Irish water* – No objections subject to conditions.

### Submissions/Observations

No further submissions/observations received.

Clarification of Further Information requested is as follows:

1. The Water Services Department has serious concerns and has recommended refusal 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 maintenance purposes or in the event that the sewer required replacing.

The applicant is requested to submit:

- (i) The revised proposals include mitigation measures to alleviate loading being imposed from the development onto the existing surface water pipe to the east

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of the dwelling. However, the minimum proposed clear setback distance of approximately 2.5m is still inadequate for maintenance access purposes. In this instance given the location and depth of the existing surface water pipe a minimum set back distance of 4m from buildings to the outside diameter of the 225mm surface water sewer is required to allow adequate access for maintenance works.

(ii) The revised proposals show that the surface water run-off from the proposed development to be connected into a combined drainage network via an overflow pipe from the proposed soakaway. This is not in compliance with the Greater Dublin Regional Code of Practice for Drainage Works or Irish Water requirements with regard to complete separation of surface and foul water drainage systems. Therefore, written agreement from Irish Water is required to

be submitted which clearly states that Irish Water are in agreement with the applicant's proposal to connect an overflow pipe from the proposed soakaway into the existing combined drainage system on site.

(iii) The applicant has proposed a soakaway for the proposed surface water drainage design however there are no soil percolation test results or design calculations submitted for the proposed soakaway. A report is required showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

It is advised that the applicant consult directly with SDCC Water Services Department with respect to Drainage and Services prior to the lodgement of Clarification of Information.

2. The applicant is advised that there are still significant concerns with the height and scale of the eastern extension (walk in wardrobe) as it would appear unbalanced when viewed from the main road and is not considered subservient to the main dwelling. The applicant is requested to submit a revised proposal removing this element from the proposal and is requested to consider a dormer on the eastern side of the original roof that would be similar in scale to the one on the western side which would still allow the creation of space for the walk-in wardrobe. Revised floor plans, sections, elevations, and contiguous elevations should be submitted with the response.

### Item 1

The Water Services Department has serious concerns and has recommended refusal 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 maintenance purposes or in the event that the sewer required replacing.

The applicant is requested to submit:

- (i) The revised proposals include mitigation measures to alleviate loading being imposed from the development onto the existing surface water pipe to the east of the dwelling. However, the minimum proposed clear setback distance of approximately 2.5m is still inadequate for maintenance access purposes. In this instance given the location and depth of the existing surface water pipe a minimum set back distance of 4m from buildings to the outside diameter of the 225mm surface water sewer is required to allow adequate access for

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maintenance works.

(ii) The revised proposals show that the surface water run-off from the proposed development to be connected into a combined drainage network via an overflow pipe from the proposed soakaway. This is not in compliance with the Greater Dublin Regional Code of Practice for Drainage Works or Irish Water requirements with regard to complete separation of surface and foul water drainage systems. Therefore, written agreement from Irish Water is required to be submitted which clearly states that Irish Water are in agreement with the applicant's proposal to connect an overflow pipe from the proposed soakaway into the existing combined drainage system on site.

(iii) The applicant has proposed a soakaway for the proposed surface water drainage design however there are no soil percolation test results or design calculations submitted for the proposed soakaway. A report is required showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

It is advised that the applicant consult directly with SDCC Water Services Department with respect to Drainage and Services prior to the lodgement of Clarification of Information.

### Assessment

The applicant *Rory O'Brien* has submitted a cover letter from dated 7<sup>th</sup> October 2021.

- A report on behalf of the applicant titled *Method Statement – upgrading existing sewer using a pipe-bursting method and Deep Excavations in the event of sewer line collapse of blockage* was submitted from *Source Civil Ltd.*
- Deed of easement for Irish Water were submitted on behalf of both 9 and 11 Ardeevin Drive.
- A report from Percolation Tests.ie Planning Assessments and Land Surveys was submitted.
- Revised site layout plans /elevations / sections were submitted.

(i)The applicant has liaised with SDCC Water Service Department in the requirements of the CAI that has resulted in a reduced extension to provide a 6m space between the property and neighbouring property 11 Ardeevin Drive for access to the foul water sewer.

(ii)The applicant has liaised with Irish Water in conjunction with the neighbour in 11 Ardeevin Drive providing a wayleave easement to Irish water and guaranteeing them access should any works need to be carried out on the pipelines. Irish Water have now issued a confirmation of feasibility with respect to the building works and its location.

(iii) The applicant has submitted a BRE Digest 365 report as requested.

The above items (i) and (iii) are now satisfactory as per the **Surface Drainage Department** report subject to the following:

*1.1 Include water butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development.*

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*The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*

*All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

The above items (i) and (ii) are now satisfactory as per the **Irish Water** report subject to the following:

1. *Water: All works are to comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure.*

*Reason: In the interest of public health and to ensure adequate water facilities.*

*2 Foul: All works are to comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure unless otherwise agreed in writing with Irish Water.*

*2.2 The applicant shall comply with Irish Water requirements which are outlined in letter received from Irish Water "Re: DIV21172 Build Near Application-9 Ardeevin Drive, Lucan, Co.Dublin, K78D5F1 Subject to contract l Contract denied" prior to any construction works commencing on site.*

*Reason: In the interest of public health and to ensure adequate wastewater facilities*

The applicant's CAI response to Item 1 is now considered acceptable.

### Item 2

The applicant is advised that there are still significant concerns with the height and scale of the eastern extension (walk in wardrobe) as it would appear unbalanced when viewed from the main road and is not considered subservient to the main dwelling. The applicant is requested to submit a revised proposal removing this element from the proposal and is requested to consider a dormer on the eastern side of the original roof that would be similar in scale to the one on the western side which would still allow the creation of space for the walk-in wardrobe. Revised floor plans, sections, elevations, and contiguous elevations should be submitted with the response.

### Assessment

The applicant has submitted a rationale for the reduction in size and scale of the eastern extension (walk in wardrobe) as per the cover letter dated 7<sup>th</sup> October 2021.

Having regard to this detached gable fronted two-storey bungalow dwelling on this established road, it is considered that a side extension to a pitched roof will be noticeable in any form or context due to the uniformity of the surrounding streetscape. However, the applicant has significantly reduced the pitch level of the eastern side extension and has recessed back the main footprint of the original proposed extension from a projection of 2.4m to 1.7m in line with the



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requirements for the Surface Water Drainage Department and Irish Water.

Revised floor plans, sections, elevations, contiguous elevations and photomontages were submitted with the CAI response. The proposal is now considered more balanced in appearance with the dormer window to the west when viewed from the main road and is now considered more subservient to the main dwelling. The design, materials and roof shape match the existing house and now appear to complement the existing dwelling as opposed to dominating the dwelling as originally submitted. In this instant the proposal is now deemed in line with the requirements of residential extensions with the South Dublin County Council House Extension Guide (2010).

### Conclusion

The development subject to conditions, as now proposed is considered to be consistent with the zoning objective 'RES' – 'To protect and/or improve residential amenity', and the relevant provisions in the County Development Plan 2016-2022 and is considered acceptable. A grant of permission is recommended.

### *Development Contributions*

#### **Development Contributions Assessment Overall Quantum**

|                         |           |
|-------------------------|-----------|
| CAI Proposed Extension: | 74.28sq.m |
| Assessable Area:        | 34.28sq.m |

### **SEA Monitoring Information**

|  |                  |
|--|------------------|
| Building Use Type Proposed:                | Residential      |
| Floor Area:                                | 74.28sq.m        |
| Land Type: Brownfield/Urban Consolidation. |                  |
| Site Area:                                 | 0.0619 Hectares. |

### Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposal would be consistent with Council policy in relation to extensions to dwelling houses.

### Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

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### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 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 07/05/2021, Clarification of Further Information received on 07/10/2021 and Unsolicited Further Information received on xxx, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Surface Water
  - (i) Water butts shall be placed on site and shall form part of Sustainable Drainage Systems (SuDS) features for the development.
  - (ii) There shall be complete separation of the foul and surface water drainage throughout the site.
  - (iii) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
3. Irish Water
  - (i) Water: All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure.  
REASON: In the interest of public health and to ensure adequate water facilities.
  - (ii) Foul: All works shall comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure unless otherwise agreed in writing with Irish Water.
  - (iii) The applicant shall comply with Irish Water requirements which are outlined in letter received from Irish Water 'Re: DIV21172 Build Near Application-9 Ardeevion Drive, Lucan, Co.Dublin, K78D5F1 Subject to contract I Contract denied' prior to any construction works commencing on site.  
REASON: In the interest of public health and to ensure adequate wastewater facilities.

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### 4. External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

REASON: In the interest of visual amenity.

### 5. 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.

### 6. 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).

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

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### **7. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €3,304.25 (three thousand three hundred and four euros and twenty five cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

**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](mailto: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.

**NOTE:** The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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**REG. REF. SD21B/0064**

**LOCATION: 9, Ardeevin Drive, Lucan, Co. Dublin**

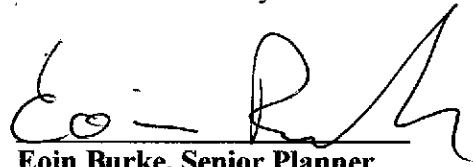


**Tracy McGibbon,  
A/Senior Executive Planner**

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

**Date:**

4/11/21



**Eoin Burke, Senior Planner**