

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1479/21

Reg. Reference: SD21B/0263 **Application Date:** 10-May-2021
Submission Type: Additional **Registration Date:** 19-Oct-2021
Information

Correspondence Name and Address: Thomas O'Neill 4 Bridgecourt Office Park,
Walkinstown Avenue, Dublin 12

Proposed Development: Part single and part two storey rear extension and
single storey side extension; extended front porch;
extension of attic room with new front and rear gable
walls with roof lights and windows; single storey rear
garden building for ancillary use of the dwelling;
widen front drive and pillars with ancillary site
works.

Location: 21, Ballyroan Heights, Dublin 16

Applicant Name: Yuejiao Long & Dazhi She

Application Type: Permission

(BH)

Description of Site and Surroundings:

Site Area

0.01 Hectares.

Site Description

The application site consists of a two storey, detached house that is located in a cul-de-sac in Ballyroan Heights. The site slopes upwards from north to south. The area is predominantly residential in nature.

Site visited

9th June 2021.

Proposal:

Permission is sought for the following:

- Two storey rear extension
- Single storey rear extension
- Single storey side extension
- Front extension
- Attic conversion, gable extension, rooflights and windows
- Single storey rear garden building for ancillary use of the dwelling

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- Widen front drive and pillars.

Zoning:

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

Consultations:

Parks – no objection subject to conditions

Roads – no objection subject to conditions

Water Services – Additional Information

Irish Water – Additional Information

Submissions/Observations /Representations

Submission expiry date – 14/06/2021

No submissions or objections received.

Relevant Planning History

None recorded for subject site.

Relevant Enforcement History

None recorded for subject site.

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 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.

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).

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Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and visual amenity
- Parking and Access
- Services, Drainage and the Environment
- Public Realm
- Appropriate Assessment
- Environmental Impact Assessment

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.

Residential and Visual Amenity

Two storey rear extension

The proposal includes a two-storey rear extension that would extend the depth of the house by approximately 2.4m. Given this aspect of the proposals scale, design, and siting in relation to the host and neighbouring properties, it is acceptable in terms of residential and visual amenity.

Single storey rear extension

The proposed extension would extend off the rear of the proposed two storey rear extension and have a flat roof with a height of 3.2m, a depth of 4.5m and would be roughly half the width of the house. Given this aspect of the proposals scale, design and siting in relation to the host and neighbouring properties, it is considered to be acceptable in terms of residential and visual amenity.

Single storey side extension

The proposed extension would be sited on the north-eastern side of the house and set in from the shared boundary by 0.7m. It would have a pitched roof with a height of 3.16m rising to 4m. Given this aspect of the proposals scale, design, and siting in relation to the host and neighbouring properties, it is considered to be acceptable in terms of residential and visual amenity.

Front extension

The proposal includes a front extension that would have a pitched roof with a height of 2.98m rising to just over 4m. The extension would consist of a front window and the main door would be located on the side elevation. The depth of the extension would be 2.085m. Generally front extensions are limited to 1.5m in depth as per the guidance in the SDCC House Extension

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Design Guide. However, in this case the additional depth is considered to be acceptable given the orientation of the site in relation to neighbouring houses and the set back from the main road.

Attic conversion, gable extension, rooflights and windows

The existing property currently consists of a hipped roof that extends from each corner of the eaves to the centre to form an even roof apex. The proposal would see the height of the roof increased and a full gabled roof that would extend from front to rear and over the proposed two storey rear extension. This aspect of the proposal would change the character of the property visually. However, it is noted that there are a variety of roof types in the vicinity and based on the size of the plot and scale of the extension in relation to the host property, it is not considered to be visually harmful. Based on the scale, design, and siting of the proposed rooflights, they are considered to be acceptable in terms of residential and visual amenity.

The converted attic would consist of a bedroom and study. The applicant has provided sections showing that the head height would range from 1.36m to 2.7m. In order to be considered habitable the proposal would need to comply with the head heights in the Building Regulations. A note to this effect would therefore be recommended should permission be granted. The bedroom would be served by a window to provide outlook and access to light. This would allow views to the rear of the site and is considered to be acceptable given the orientation of the site in relation to neighbouring properties and the fact that there would be no materially harmful overlooking.

Detached Single storey rear garden building for ancillary use of the dwelling

The building would be very large at some 48sq.m. It is set back from the rear garden boundary by some 4m which is unusual for such buildings as they are normally tight to the rear garden boundary. There appears to be a line to the front of the building which might indicate a potential future curtilage.

A bathroom with shower is proposed, including:

Gym – 16.5sq.m

Boot room 7sq.m

Craft room 10.5sq.m (craft not specified)

Home office 8.8sq.m

The proposed building is stated as 'ancillary use of the dwelling'. A condition should be imposed ensuring that the building is not used as a dwelling unit or for commercial purposes, and to that end the bathroom should be removed by **condition**.

Widening of front drive and pillars

The applicant is proposing to widen the existing entrance to 3.6m but has not shown any details of the boundary treatment on an elevation. This is recommended to be addressed as **additional information**. When this is received, the risk to the existing street should be assessed. Further comments in relation to the width are provided in the Parking and Access section of this report.

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Parking and Access

Roads have assessed the proposal in relation to the widening of the vehicular access and have provided the following comments:

It is proposed to widen the vehicular entrance gate to 3.6m wide. The existing width is 2.1m. The driveway is average 8m in length This is ample to park two no. of cars to be parked side by side on curtilage. There is a tree in the public grass verge to the front of the house which may be affected by the widening of the front access pillar and should be protected during the works. Roads department recommends a maximum vehicular entrance gate width of 3.0m to maintain the minimum distance of 600mm to protect the tree and its roots.

Roads have recommended conditions regarding the width of the entrance, the street tree, the height of the pillars and boundary walls, the dishing of the footpath and kerb and that no gates should open outwards. The applicant has not provided any details of the changes proposed to the vehicular entrance with the exception of the site layout plan. It is therefore recommended that an elevation showing the proposed access and a reduced width is submitted as **additional information**.

Services, Drainage and the Environment

Water Services has assessed the proposal and has requested additional information in relation to the proposed soakaway and details of SuDS.

Irish Water has assessed the proposal and has requested additional information regarding water supply and foul water as no details of the proposed or existing connections have been submitted.

It is recommended that these matters are addressed through **additional information**.

Public Realm

The presence of a street tree and grass verge were noted adjacent to the vehicular access during the site visit. The Public Realm section have assessed the proposal and have raised concerns with the potential loss of the grass verge to accommodate the widened vehicular access. Public Realm have also recommended conditions in relation to the protection of the street tree, the grass margin, and a tree bond. The applicant has not shown the location of the street tree on their site layout. It is recommended that this is addressed through the submission of **additional information**. Subject to clarification on the trees location, a reduction in the proposed width of the entrance may help to reduce the impact on the grass verge and street tree and further tree protection measures including the tree bond could be secured by condition.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 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.

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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.

Conclusion

The extensions are considered to be acceptable in principle. However, further information is required regarding the boundary treatment, a reduction in the width of the vehicular entrance, surface water, water supply, foul water, and street trees, to enable the planning authority to make an informed decision.

Recommendation

Request Further Information

Further Information

Further Information was requested on 24/06/2021

Further Information was received on 19/10/2021

The further information requested was as follows:

- (1) There are concerns in relation to the width of the proposed vehicular access given the presence of a street tree and in relation to traffic and pedestrian safety. The applicant is requested to submit the following:
 - a) Revised plans showing a maximum width of 3m for the access.
 - b) A site layout plan showing the presence of the street tree in relation to the application site.
 - c) Elevations showing the proposed heights of the pillars and boundary walls.
 - d) Details of any gates proposed. The applicant is advised that gates should not open outwards onto the public domain.
- (2) There are concerns regarding the lack of information in relation to surface water. The applicant is requested to submit the following:
 - a) A report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
 - b) A revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway should be located fully within the curtilage of the property and shall be:
 - i) At least 5m from any building, public sewer, road boundary or structure.
 - ii) Generally, not within 3m of the boundary of the adjoining property.
 - iii) Not in such a position that the ground below foundations is likely to be adversely affected.
 - iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.

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- v) Soakaways must include an overflow connection to the surface water drainage network.
 - c) Details of water butts as part of Sustainable Drainage Systems (SuDS) Features for the proposed development.
- (3) There are concerns regarding the lack of information in relation to water supply and foul water. The applicant is requested to submit drawings in plan outlining the existing and proposed water supply layout and wastewater drainage layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. All proposals are to comply with the Irish Water Standard Details for Water Infrastructure available at (<https://www.water.ie/connections/Water-Standard-Details.pdf>).

Consultations

Water Services – Clarification of Additional Information

Irish Water – Clarification of Additional Information

Submissions/Observations

No further submissions/observations were received

Assessment

The applicant has submitted additional drawings and information in relation to the soakaway as requested, along with a cover letter from the agent date stamped 19 October 2021.

Item 1 - Vehicular Access

A revised site layout plan, 'Block Plan', has been submitted showing an entrance width of 3m. This is considered acceptable. An elevation of the entrance has been submitted showing boundary walls of .79m, with pillars 1.12 m tall marking the site entrance. This is considered acceptable.

The Planning Authority considers that the additional information provided has addressed concerns relating to the entrance. A **condition** should be attached to any grant of permission restricting the width of the vehicular access, and imposing height restrictions on the boundary wall and entrance pillars.

Item 2 - Surface Water

In relation to Item 2 of the additional information request, Water Services has reviewed the additional information submitted and has requested **clarification of further information** as soakaway design calculations have not been submitted for the proposal. An extract from the report states:

1. *There are no soakaway design calculations submitted for the proposed soakaways. The applicant is required to submit a report showing soakaway design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design. Design calculations must be based on site specific Soil percolation tests carried out by the applicant.*

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Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

- i) At least 5m from any building, public sewer, road boundary or structure.*
 - ii) Generally, not within 3m of the boundary of the adjoining property.*
 - iii) Not in such a position that the ground below foundations is likely to be adversely affected.*
 - iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
 - v) Soakaways must include an overflow connection to the surface water drainage network.*
- 2. The applicant is required to submit a drawing showing the inclusion of water butts as part of additional Sustainable Drainage Systems (SuDS) Features for the proposed development.*

It is noted that the applicant has provided soil percolation tests however, no design calculations were submitted to demonstrate that the proposed soakaway has been sized and designed in accordance with BRE Digest 365 standards. It is considered that this information can be requested by way of **condition** requiring the application to submit the design calculations for the soakaway. It is considered that water butts can be addressed by **condition** in the event of a grant of permission.

Item 3 - Irish Water

Irish Water has reviewed the additional information submitted and has requested that clarification of additional information is sought. An extract from their report states:

1 Water

- 1.1 The applicant has not submitted water supply drawings for the proposed development. The applicant is required to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. All proposals are to comply with the Irish Water Standard Details for Water Infrastructure available at (<https://www.water.ie/connections/Water-Standard-Details.pdf>)*

The report also requests the applicant engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) to determine the feasibility of connection to the public water and wastewater infrastructure. It is considered that pre-connection feasibility can be requested by **condition** attached to a grant of permission.

Rather than seek **clarification of further information**, a **condition** should be attached to a grant of permission requiring the applicant to submit water supply drawings for the existing and proposed development.

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Other

Development Contributions

- Proposed extensions – 105sq.m
- Rear garden building – 49sq.m
- No previous extension
- Assessable area – 65sq.m

SEA Monitoring

Building Use Type Proposed:	Residential extension
Floor Area:	154sq.m
Land Type:	Brownfield/Urban Consolidation.
Site Area:	0.01 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.

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.
 - (a) 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 19/10/2021, save as may be required by the other conditions attached hereto.

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(b) the rear garden building shall only be used for purposes ancillary to the enjoyment of the dwelling house and shall not be used for habitation or for operation of a business.

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

2. Amendments

No bathroom shall be included in the rear garden structure. The applicant shall submit revised plans showing that this room has been removed prior to the commencement of development.

REASON: To prevent unauthorised development.

3. Vehicular Access Arrangements.

(1) The vehicular access points shall be limited to a width of 3.0m.

(2) The tree in the public grass verge to the front of the house shall be protected during the works.

(3) The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

(4) Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed 3.0m widened driveway entrance.

(5) Any gates shall open inwards and not out over the public domain.

REASON: To ensure pedestrian and traffic safety.

4. Protection of tree in grass margins

The applicant shall ensure the protection of the existing street tree to be retained through the installation of suitable tree protection fencing in order to protect the existing trees during the construction works. Protective tree fencing shall be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837 and as specified. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas.

REASON: In the interests of visual amenity and of protecting existing trees.

5. Tree Bond.

Prior to the commencement of development, a tree bond of €1,500 (one thousand five hundred euros) shall be lodged with the Planning Authority to ensure the protection of the existing street tree in the grass margin during the course of the development works. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the trees proposed for retention are alive, in good condition with a useful life expectancy.

REASON: In the interest of tree protection and the proper planning and sustainable development of the area.

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6. Surface Water Drainage.

Prior to the commencement of development, the applicant/developer shall submit for the written agreement of the Planning Authority:

(A) a report showing soakaway design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design. Design calculations must be based on site specific Soil percolation tests carried out by the applicant.

(i) Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

(ii) At least 5m from any building, public sewer, road boundary or structure.

(iii) Generally, not within 3m of the boundary of the adjoining property.

(iv) Not in such a position that the ground below foundations is likely to be adversely affected. 10m from any sewage treatment percolation area and from any watercourse/floodplain. Soakaways must include an overflow connection to the surface water drainage network.

(B) a drawing showing the inclusion of water butts as part of additional Sustainable Drainage Systems (SuDS) Features for the proposed development.

REASON: To ensure adequate provision of surface water drainage and SuDS features.

7. Irish Water requirements.

Prior to the commencement of development, the applicant/developer shall submit to the Planning Authority:

a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. All proposals are to comply with the Irish Water Standard Details for Water Infrastructure available at (<https://www.water.ie/connections/Water-Standard-Details.pdf>)

REASON: In the interest of public health and to ensure adequate water and wastewater facilities.

8. (a) 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.

(b) Restriction on Use.

The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

(c) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

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(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with 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.

(d) 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.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, 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 only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place 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

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the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

9. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €6,265.35 (six thousand two hundred and sixty five euros and thirty 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.

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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

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/0263

LOCATION: 21, Ballyroan Heights, Dublin 16

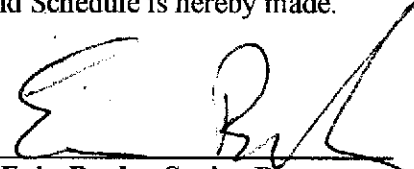
jjohnston

Jim Johnston,
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: _____

16/4/21



Eoin Burke, Senior Planner