

# Comhairle Chontae Atha Cliath Theas

**PR/1552/21**

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

**Reg. Reference:** SD21B/0522      **Application Date:** 08-Oct-2021  
**Submission Type:** New Application      **Registration Date:** 08-Oct-2021  
**Correspondence Name and Address:** Tara Ward 4, Carrigmore Close, Aylesbury, Tallaght, Dublin 24  
**Proposed Development:** Ground floor rear extension with flat roof and 4 roof lights over; resizing of garage entrance to front and 1 roof light over garage; combination window at front facade from ground floor to first floor roof; first floor internal alterations, resizing of rear first floor window; dormer roof window; 2 roof lights on rear slope of roof at attic level and conversion of attic to bedroom.  
**Location:** 33, Knocklyon Drive, Rathfarnham, Dublin 16  
**Applicant Name:** Mark and Aideen Kenny  
**Application Type:** Permission

(CS)

### **Description of Site and Surroundings:**

**Site Area:** 0.031 Hectares as stated per application.

### **Site Description:**

This site contains a two storey semi-detached dwelling (part 1.5 storey to front elevation and two storey to rear) with pitched roof and attached side garage. The entrance door is located to the side. The rear of the property faces onto public open space (Elkwood Playing Pitches). The streetscape in the immediate vicinity of the dwelling is characterised by dwellings of similar form and appearance with a mainly uniform building line.

### **Proposal:**

The proposed development comprises of the following:

- Single storey rear extension with flat roof and 4 rooflights (c.39.534sq.m.).
- Resizing of garage entrance to front and 1 rooflight over garage.
- Combination 'Velux' window at front façade from ground floor to first floor ceiling.
- Resizing of first floor rear window.
- Rear dormer and conversion of attic to habitable bedroom (c.13.466sq.m.).
- 2 rooflights on rear slope of roof at attic level.

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- Total proposed works measure c.53sq.m (as stated).

### **Zoning:**

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

### **Consultations:**

*Surface Water Drainage* – No objections subject to **conditions**.

*Irish Water* – No objections subject to **conditions**.

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

*Parks Department* – No comments following review.

### **SEA Sensitivity Screening**

No overlap identified with SEA screening tool layers.

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

None.

### **Relevant Planning History**

None recorded for subject site.

#### *Adjacent sites*

**SD21B/0508:** 35, Knocklyon Drive, Dublin 16.

Construction of single storey extension to rear; two storey extension to the side; porch to front; dormer window to rear roof at attic level; dormer window and rooflight to front at first floor level; refurbishment of house including new stairs to comply with Building Regulations; all associated site works.

Decision: **GRANT PERMISSION.**

**SD06B/0035:** 21, Knocklyon Drive, Rathfarnham, Dublin 16.

Conversion of existing garage to family room, construction of new first floor extension over existing garage and conversion of existing attic.

Decision: **GRANT PERMISSION.**

### **Relevant Enforcement History**

None recorded for the subject site.

### **Pre-Planning Consultation**

None.

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### **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.

*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).

*Section 2.5.8 Rural House & Extension Design*

*Policy H27 Rural House & Extension Design*

*Section 11.2.7 Building Height*

*Section 11.3.1 Residential*

*Section 11.3.1 (iv) Dwelling Standards*

*Section 11.3.1 (v) Privacy*

*Section 11.3.3 Additional Accommodation*

*Section 11.3.3 (i) Extensions*

*Section 11.4.2 Car Parking Standards*

*Table 11.24 Maximum Parking Rates (Residential Development)*

*Section 11.4.4 Car Parking Design and Layout*

*Section 11.7.2 Energy Performance in New Buildings*

*Section 11.8.2 Appropriate Assessment*

***South Dublin County Council House Extension Design Guide (2010)***

### **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 the assessment are:

- Zoning and Council Policy
- Visual and Residential Amenity
- Parks & Landscaping
- Access & Parking
- Services and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

### ***Zoning and Council Policy***

The site is located in an area that is zoned 'RES' 'to protect and/or improve residential amenity.' A residential extension is permitted in principle subject to its accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 (i) which relates to Extensions.

### ***Visual and Residential Amenity***

*Single storey rear extension c.39.534sq.m. (4 rooflights)*

The extension will have a flat parapet roof with a parapet height of c.3.5m built to the boundaries with both immediate neighbours to the east (No. 31 Knocklyon Drive) and to the west (No. 35 Knocklyon Drive). The extension will project outwards from the main rear building line by c.4.4m and will have a width of c.8.985m. A reasonable level of private open space will remain post completion and there will be no undue overlooking or overbearing impact and the proposal would integrate reasonably well with the character of the existing dwelling and would comply with the SDCC House Extension Design Guide 2010.

*Rear dormer (habitable) c.13.466sq.m.*

The attic would be converted to a bedroom (as stated in the public notice) and would have a 2.4m ceiling height, which as regards height, would make it habitable under the building regulations. The dormer will be set appropriately above the eaves and below the ridge of the existing dwelling. The dormer will be centrally placed and will be inset by c.1.0m from the immediate adjoining neighbour to the west (No. 35 Knocklyon Drive). The dormer will project outwards from the roof by c.2.0m and will have a width of c.4.0m. The proposal would integrate reasonably well with the character of the existing dwelling and would comply with the SDCC House Extension Design Guide 2010.

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*'Velux' vertical/pitched combination window system to front elevation.*

Part of this glazing will be located just below the eaves at ground floor level and the remaining part will be located above the eaves at roof level at front elevation. This would visually accord with the character of the area.

*Alterations to existing garage door*

A new smaller door will be inserted and a new infill wall will be constructed to replace the existing garage door. This would visually accord with the character of the area.

*Resizing of first floor rear window*

This alteration to rear fenestration treatment would visually accord with the character of the area and would comply with council policy.

### ***Parks & Landscaping***

A report was issued from the Parks Department recommending no comments following review of the application. An extract taken from the Parks report states the following:

#### ***COMMENTS:***

*In relation to the above proposed development, this section has reviewed the application and have no comments to make.*

The above is noted.

### ***Access & Parking***

A report was received from the Roads Department stating no objections subject to **conditions**. An extract taken from the Roads report states the following:

*Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.*

#### ***Description:***

*Ground floor rear extension with flat roof and 4 roof lights over; resizing of garage entrance to front and 1 roof light over garage; combination window at front facade from ground floor to first floor roof; first floor internal alterations, resizing of rear first floor window; dormer roof window; 2 roof lights on rear slope of roof at attic level and conversion of attic to bedroom.*

*No Roads objections subject to the following conditions:*

*1. The vehicular access points shall be limited to a width of 3.5 meters.*

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*2. 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.*

*3. Any gates shall open inwards and not out over the public domain.*

*4. 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.*

As the application does not include for any alterations to the existing vehicular entrance or front boundary treatment the recommended **conditions** are not relevant.

### ***Services and Drainage***

Both Irish Water and Surface Water Drainage have issued reports recommending no objection subject to **conditions**. An extract taken from the Irish Water report states the following:

#### *1 Water*

*1.1 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*

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

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

It is considered appropriate to attach the **conditions** above in the event of a grant.

A extract taken from the Surface Water Drainage report states the following:

*Surface Water Report: No Objection Subject to:*

*1.1 The applicant is required to include Water Butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development.*

*All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal*

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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.*

*Flood Risk Report: No Objection.*

It is considered appropriate to attach the **conditions** above in the event of a grant.

### ***Screening for Appropriate Assessment (AA)***

Having regard to the distance of the proposed development from any Natura 2000 sites, the nature and scale of the proposed development in the context of the surrounding developments, it is not considered that the proposed development is likely to have a negative effect on a Natura 2000 site and therefore a Stage 2 Appropriate Assessment is not required.

### ***Environmental Impact Assessment (EIAR)***

Having regard to the nature and scale of the proposed development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the proposal is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### ***Other Considerations***

#### ***Development Contributions***

- Single storey rear extension c.39.534sq.m & habitable attic conversion c.13.466sq.m (Total c.53sq.m. as stated)..
- No previous extension.
- 40sq.m. exemption remains.
- Assessable area is 13sq.m.

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential – Extension & rear dormer	53sq.m.
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.031

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### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

### **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 in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, 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. (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.



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(c) Drainage - Irish Water.

(i). All works are to comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure.

(ii). All works are to comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure.

(iii). The applicant is required to include Water Butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development.

(iv). All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.

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

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

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

(viii). 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.

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

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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 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.

### **3. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €1,253.07 (one thousand two hundred and fifty three euros and seven 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

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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.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.


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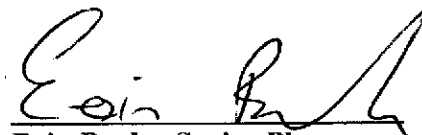
**REG. REF. SD21B/0522**

**LOCATION: 33, Knocklyon Drive, Rathfarnham, Dublin 16**

  
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**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:** 2/12/21

  
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**Eoin Burke, Senior Planner**