

Comhairle Chontae Atha Cliath Theas

PR/1641/21

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0547 **Application Date:** 27-Oct-2021
Submission Type: New Application **Registration Date:** 27-Oct-2021
Correspondence Name and Address: Eamon Regan, Regan & Associates Architects 60,
Clonlea, Ballinteer Road, Dublin 16
Proposed Development: Replacement of existing water damaged flat roof
over existing utility room to the rear; extension with
a pitched roof complete with rooflight containing a
kitchen and garden/bicycle shed to the rear; widen
driveway gate to the front.
Location: 69, The Priory, Grange Road, Rathfarnham, Dublin
16.
Applicant Name: Cormac & Rachel MacDonnchadha
Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: 0.0285 Hectares as stated per application.

Site Description:

This site contains a two storey, semi-detached dwelling with pitched roof and with apex pitched element to front. The site is located on a corner junction close to a cul-de-sac. The subject site contains an existing single storey side and rear extension. 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:

- Replacement of existing flat roof over existing single storey utility room to rear with pitched roof.
- Construction of rear extension (c.6.25sq.m.) and attached shed (non-habitable c5.5sq.m.).
- Widening of existing vehicular entrance to 5.0m.

Zoning:

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

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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

SD06B/0359: Construction of a single storey bay window extension to front of each house.

Decision: **GRANT PERMISSION.**

SD06B/0099: Demolish existing single storey extension to rear and replace with single storey extension to side and rear of existing house.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None recorded for the subject site.

Pre-Planning Consultation

None.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

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

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

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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 Environment, Heritage, and Local Government, (2007).

Assessment

The main issues for the assessment are:

- Zoning and Council Policy
- Residential & Visual 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.

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Visual and Residential Amenity

Single storey rear extension

The existing flat roof over the existing utility room will be replaced with a pitched roof and will be extended to the rear by c.6.25sq.m. The shed to the rear will be attached to the rear extension but will not be accessible from the main dwelling. The shed element will be finished in a hipped roof profile with an eaves height of c.2.3m and a ridge height of c.3.5m. The rear extension and the shed will be built to the boundaries with immediate neighbours to the north and to the east and cumulatively will project a depth of c.4.8m. The shed and extension span a width of c.2.5m. A reasonable level of private open space will remain post completion. In the event of a grant a condition shall be attached that the use of the shed shall be restricted to purposes incidental to the enjoyment of the house as such and shall not be used for commercial use, as a habitable unit and shall not be leased or subdivided from the main dwelling. 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.

Widening of existing vehicular entrance to 5.0m.

This element of the proposal is discussed further in the Access & Parking section of the report.

Parks & Landscaping

A report was issued from the Parks Department recommending no comments following review of the application.

Access & Parking

A report was received from the Roads Department recommending 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:

Widening of front driveway gate to 5m.

There are concerns in relation to the width of the vehicular access due to the potential visual impact and impact on traffic/pedestrian safety.

Should the permission be granted, the following conditions are suggested:

- 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.*

It is considered appropriate to attach the above **conditions** in the event of a grant. However as condition No.4 is unenforceable this condition shall be omitted in the event of a grant.

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 development shall be carried out in compliance with Irish Water Standards codes and practices.

2 Foul

2.1 All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

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

An 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 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

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

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

It is considered appropriate to attach the above **conditions** 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.6.25sq.m. and attached non-habitable shed c.5.5sq.m.
- Previous single storey side and rear extension exists measuring c.40.72sq.m.
- No Dev Con exemption remains.
- Assessable area is 6.25sq.m..

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Extension & shed	11.5sq.m.(as stated)
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0285

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.

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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. Roads Requirements.
 - (a) The vehicular access points shall be limited to a width of 3.5 meters.
 - (b) 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.
 - (c) Any gates shall open inwards and not out over the public domain.REASON: In the interest of traffic safety and proper planning and sustainable development.
3. Shed Use.
The use of the shed shall be restricted to purposes incidental to the enjoyment of the house as such and shall not be used for commercial use, as a habitable unit and shall not be leased or subdivided from the main dwelling.
REASON: In the interest of the proper planning and sustainable development of the area.
4. (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.

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(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). All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

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

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

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

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

(vii). 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.

(viii). 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.

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(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 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.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €602.44 (six hundred and two euros and forty four 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

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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 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.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.


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REG. REF. SD21B/0547

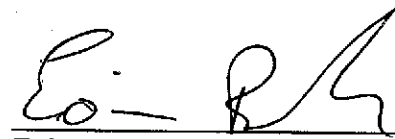
LOCATION: 69, The Priory, Grange Road, Rathfarnham, Dublin 16.



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: 17/12/21



Eoin Burke, Senior Planner